

LITTELL'S LIVING AGE.

Fifth Series, }
Volume XLV. }

No. 2065.—January 19, 1884.

} From Beginning,
Vol. CLX. }

CONTENTS.

I. ANCIENT INTERNATIONAL LAW, . . .	<i>Contemporary Review</i> , . . .	131
II. THE BABY'S GRANDMOTHER. Part III, . . .	<i>Blackwood's Magazine</i> , . . .	148
III. GREENSTEAD CHURCH,	<i>Gentleman's Magazine</i> , . . .	162
IV. MARSHAL BERWICK,	<i>Temple Bar</i> ,	167
V. A MAIDEN FAIR. Part II,	<i>Good Cheer</i> ,	173
VI. OUTCAST RUSSIA,	<i>Nineteenth Century</i> , . . .	184
VII. THE OAKS OF SHERWOOD FOREST, . . .	<i>Forestry</i> ,	191

POETRY.

SING, LITTLE BIRD,	130	BARON HONOR,	130
MISSED,	130	SUNSET,	130

PUBLISHED EVERY SATURDAY BY
LITTELL & CO., BOSTON.



TERMS OF SUBSCRIPTION.

For EIGHT DOLLARS, remitted directly to the Publishers, the LIVING AGE will be punctually forwarded for a year, free of postage.

Remittances should be made by bank draft or check, or by post-office money-order, if possible. If neither of these can be procured, the money should be sent in a registered letter. All postmasters are obliged to register letters when requested to do so. Drafts, checks and money-orders should be made payable to the order of LITTELL & Co.

Single Numbers of THE LIVING AGE, 18 cents.

SING, LITTLE BIRD.

A CHRISTMAS CAROL.

SING, little bird, on the shivering bough,
A grateful hymn to this dawn of love!
The voice of discord is silenced now,
And hosts of angels adore above;
All earth rejoices this rapturous morn:
O sing, little Robin, for Christ is born!

Sing, little bird, that immortal song
The shepherds sang in the days of old,
When watchful angels, a glittering throng,
The strain first wakened on lyres of gold!
Our feeble voices we dare to raise;
So sing, little Robin, *thy* song of praise!

Sing, little bird, of that Father dear,
Whose loving eye "marks the sparrow's
fall;"
The faintest whisper *his* heart can hear,
His tender mercy enfoldeth all!
We feel his presence this happy day;
So sing, little Robin, thy sweetest lay!

Sing, little bird, of the wondrous bliss
That thrilled through Mary, the Virgin mild,
When her lips first printed a mother's kiss
On the sacred brow of her heavenly child!
While choirs of angels rejoice above,
O sing, little bird, of that mother's love!

Sing, little bird, while their white wings shine,
Of that burning rapture, that deep delight
Which burst on her soul when his smile divine
Flashed on the gloom like a meteor bright;
And sing, little bird, of the trembling form
Which the tender glow of her breast made
warm.

Sing, little bird, of the dawning gray;
Of the shout of triumph that rent the skies;
Of the humble straw where the Saviour lay,
With the light of heaven in his holy eyes;
And sing, little bird, of the peace that stole,
Like a seraph's breath, o'er the sinner's soul!

Sing, little bird, for he loves to hear
The simple strain that the lowly sings —
Such loving praise to his heart is dear;
So shake the sleet from thy dusky wings,
Let rapture glow in thy crimson breast,
For the songs of the humble he loves the best!
Chambers' Journal. FANNY FORRESTER.

MISSED.

A SILENCE like the hush of fear
Fills all the house this summer day;
Familiar accents startle near,
Or fade in murmurs far away.

And breaking as from distant gloom,
A face comes painted on the air;
A presence walks the haunted room,
Or sits within the vacant chair.

The lightest wind that shakes the glass,
The sound that stirs awhile the street,
Seems to the listening heart, alas!
Like footfall of beloved feet.

And every object that I feel
Seems charged by some enchanter's wand,
And keen the dizzy senses thrill,
As with the touch of spirit hand.

At morning in the rosy flush,
At noontide in the fiery glow,
At evening in the golden hush,
At night as pass the minutes slow,

A form beloved comes again,
A voice beside me seems to start,
While eager fancies fill the brain,
And eager passions hold the heart.
Chambers' Journal. S. CLARKE.

BARON HONOR.

ONE SIDE OF IT.

"A PEERAGE?" Well, and wherefore should
you frown
If titled I elect my name shall live?
Thus is the judge's, banker's, handed down.
Why not the poet's? Cease, — nor flout the
crown,
That offers the one honor crowns can give.

THE OTHER.

THE passing echo of their ducal cheers
Lends lustre to your life! Conceit sub-
lime!
Go to! — nor marvel at our rising jeers,
Since the great spirits *you* should count
your peers
Sit on the splendid benches of all time!
Punch.

SUNSET.

WEARING Aurora's robe, night after night,
Some radiant spirit rules the western sky,
Drowning the sun-tints with such rich sup-
ply
Of colors weaved of unremembered light,
That it would seem the Master-painter's might
Had wrought anew his palette there on high,
To tell the tired world rainbows shall not
die,
Which first his pledge of promise did indite.
Forged newly like a steel-blue scimitar,
The crescent moon shines keener than of
old,
And, as the drawn sword of one armed for war,
Marshals those hosts of crimson, green, and
gold,
Till underneath the quiet Evening Star
The great review pales out into the cold.
HERMAN MERIVALE.
Eastbourne, November-December, 1883.
Spectator.

From The Contemporary Review.
ANCIENT INTERNATIONAL LAW.

PART I.

It has been remarked by some of the later writers on international law that many of their predecessors have committed the grave mistake of asserting that the ancient world had no conception of a valid and binding international law. This accusation is one to which English and American writers, as compared with Continental jurists, are particularly liable; but those who make the charge, being wholly concerned with modern international relations, do not find it within their scope to do more than adduce a few passages from the ancient historians and moralists, containing but the scantiest refutation of the theory to which they object.*

One or two illustrations will be sufficient. Chancellor Kent writes:—

The Law of Nations, as understood by the European world and by us, is the offspring of modern times. The most refined States among the ancients seem to have had no conception of the moral obligations of justice and humanity between nations, and there was no such thing in existence as the science of International Law. They regarded strangers and enemies as nearly synonymous, and considered foreign persons and property as lawful prize. Their laws of war and peace were barbarous and deplorable. So little were mankind accustomed to regard the rights of persons or property, or to perceive the value and beauty of public order, that in the most enlightened ages of the Grecian republics piracy was regarded as an honorable employment. There were powerful Grecian States that avowed the practice of piracy; and the fleets of Athens, the best disciplined and most respectable naval force in all antiquity, were exceedingly addicted to piratical excursions. It was the received opinion that Greeks, even as between their own cities and States, were bound to no duties, nor to any moral law, without compact; and that prisoners taken in war had no rights, and might lawfully be put to death, or sold into perpetual slavery with their wives and children.

* The publication of Mr. John Hosack's work on "The Rise and Growth of the Law of Nations," which contains a very interesting chapter on Ancient International Law, has rendered the above statement less accurate than it was at the time at which the article was written.

Even the French publicists, belonging to a nation justly distinguished for its cultivation of this branch of knowledge, have not escaped this error. M. Laurent, in his "*Histoire du droit des Gens*," states his view thus:—

Les Grecs ne se croyaient liés ni par le droit ni par l'humanité; ils ne se connaissaient d'obligations réciproques que lorsqu'un traité les avait stipulées. La notion de devoirs découlant de la nature de l'homme reconnue par les philosophes n'entra pas dans le domaine des relations internationales.

It is only fair to add that the writers of this class generally modify to some extent the severity of their criticisms, by noticing the existence of some usages which tended in the direction of justice and humanity, and that they credit the Romans with some efforts in the cultivation of the law of nations as a science; but they severely condemn the latter people, too, for "their cunning interpretation of treaties, their continual violation of justice, and their cruel rules of war."

The causes of this error are not far to seek. The modern development of international law may be said to date from the end of the sixteenth or beginning of the seventeenth century, its foundation having been laid in the works of Suarez, Albericus Gentilis, and Grotius. It was an easy, but an illogical, inference that no such system had ever existed before; and the error was perpetuated by a too careless facility in adopting the opinions of men whose authority as jurists was universally recognized.

Those who have any definite idea of the successes achieved by the ancient civilizations may well be surprised at the severity of the criticisms quoted above. The various arts and sciences, which belong to and form part of the civilization of a nation, keep fairly even pace with one another in their gradual development. Foremost amongst these in point of time and importance, as being absolutely necessary to the continuous existence of an independent political community, is the science of law. Thus at Athens in particular, and to a greater or less extent in other Greek states, concurrently with a successful cultivation of the arts, a sound

system of municipal law and a satisfactory administration of justice were established. The several States which formed the Hellenic family were bound together by closer ties than can well be imagined possible under any modern system. They acknowledged a common ancestry and spoke a common language: the constant recurrence of religious and other festivals, in which solemnities in honor of the gods were combined with international athletic competitions, formed also a strong bond of union; while the smallness of the territory belonging to each State, and the consequent proximity of their capitals, tended, by promoting mutual intercourse, to draw closer the relations already recognized.

Under such circumstances, it would indeed be marvellous, if, among States whose political and social organizations had been so extensively developed, no valid and binding code for the regulation of international relations should have been adopted. The fact is, that among the ancient Greeks and Romans, such a code did exist, though no doubt in a very imperfect form; that it was composed of the same ingredients and drawn from the same sources as that which now regulates the intercourse of the civilized world; that its guiding principles, though laid perhaps on less solid foundations, and prematurely arrested in their progress, were not unlike those upon which international law now rests; and finally, that the development of its rules and institutions was analogous, in many respects, to that of the present system.

It would, of course, be impossible, within the prescribed limits, to do justice to so wide a subject. The development of the treaty system and of diplomacy, the rights of ambassadors, the usages of war, the system of arbitration, and that of consular agency, piracy, rights of asylum and extradition, offer ample subject matter for as many essays of considerable length. Here I propose merely to show the existence of such a law, and of an international spirit recognizing it and giving it effect, and to sketch briefly a few of the institutions which were created and fostered by this sentiment.

With the view of showing that the rela-

tionship of the Greek States to one another is properly denoted by the word "international," it will be well to start with one or two definitions. International law may be briefly defined as "the system of principles and rules which regulates the mutual intercourse of States;" and a State may be defined as "an independent political community." A community, to be recognized as a State, must have its own organized government, but the form of such government is wholly immaterial.

The States — many of them insignificant in size — which composed the Hellenic world, clearly fall within this definition. Some of them combined from time to time, generally for defensive purposes, in which case the hegemony was assigned to one by express consent or silent recognition; but the system of a central government, though indications of such a tendency appear in the development of Athenian empire, had not then been worked out; and the individual independence of the several States was never so far infringed upon as to render inaccurate the application of the word "international" to their relations with one another.

It is further laid down by various writers of authority, with some variations of form, that international law comprises international moral law and international positive law. The question need not here be raised whether this is a correct terminology; the meaning is clear. The latter consists partly of actual agreements embodied in treaties, but mainly of rules which, dependent originally upon the comity of nations, and coming under the head of imperfect obligations, have gradually been sanctioned by custom, and passed into the region of positive law. The former includes those obligations which are still imperfect, and, forming a portion of the *jus naturale*, is founded upon those moral principles which are now held, in theory at any rate, to be as binding upon States as upon individuals.

It will be useful to cite here, for the purpose of comparing the sentiments which lie at the root of the ancient and modern systems, the celebrated State paper of 1753, addressed by the British to

the Prussian government, the occasion being an attempt on the part of Prussia to confiscate an English loan charged upon the then lately ceded province of Silesia. The law of nations is therein declared to be "founded upon justice, equity, and convenience, and the reason of the thing, and confirmed by long usage." This statement of the principles which ought to regulate the mutual intercourse of nations finds many an echo in ancient times. The identity of the *honestum* with the true *utile*, asserted more than once by Cicero in so many words, was frequently appealed to in international discussions before the public assemblies of the Greek cities. The speeches reported by Thucydides, now recognized, in accordance with his own straightforward statement, as representing substantially the sentiments uttered on the several occasions, fully warrant the assertion that such arguments were constantly advanced, and the inference that they would have been less prominent had there not existed an enlightened public opinion capable of appreciating their force. One or two instances will suffice. The Corinthian envoys (Thuc. i. 42), addressing the Athenian Ecclesia, declare that "the material advantage generally accrues to him whose conduct is least open to the imputation of moral obliquity." The same idea recurs, from time to time, in the speech of Diodotus on behalf of the Mitylenæans and in the Platæan defence.

The argument most frequently used to buttress the theory which is the subject of this criticism is one which language suggests. The Greeks, it is said, had no phrase to denote this idea; the Romans, no doubt, used the phrase *jus gentium*, but this is an ambiguous expression, and was used in a sense other than that represented by the words "international law." A few remarks will be made subsequently upon the meaning of this much discussed phrase. For the present I am rather concerned with the indications of the existence of a Greek law of nations.

It is again to the political historian of Greece that an appeal must be made in support of this position. The pages of Thucydides contain frequent and definite

allusions to a law recognized in Greece — an international positive law — composed partly of treaties, which are referred to as binding documents, and partly of conventional usages, sanctioned by time and general acceptance. The quarrel between Corinth and Corcyra, from this point of view, presents many noticeable features. The Epidamnians, a Corcyrean colony, whose request for aid against the Illyrians had been refused by Corcyra, had recourse for assistance to Corinth, the metropolis of Corcyra, from which city, in accordance with the recognized law of colonization, they had received their *Æcist*. That this step was a violation of conventional usage, is shown by the hesitation of the Epidamnians to make the application. Though it seems to have been a matter of life or death, they thought it necessary first to obtain the sanction of the Delphic oracle, the Corcyreans meanwhile protesting indignantly against the infringement of their rights by any interference on the part of the Corinthians. The Corcyreans having declared war against Epidamnus and laid siege to the town, issued a humane and liberal proclamation — viz., that any one — citizen or otherwise — might depart in safety if he chose, but that those who remained would be treated as enemies. The Corinthians having despatched an expedition to the relief of the place, the Corcyreans offered to refer the matter in dispute either to such cities as might be agreed upon, or to the Delphic oracle. The Corinthians, however, being probably aware that they were wrong in point of law, attempted to impose a condition on their opponents, and refused either to submit to a similar condition themselves, or to proceed upon the basis of the *status quo*. The negotiation, accordingly, produced no result.

In the celebrated debate before the Athenian Assembly, to which these proceedings gave rise, and which lasted for two days, the rules of international law were more than once summoned to the speakers' aid. The respect in which treaty obligations were held is shown by the pains which the Corcyrean envoys took to remove Athenian scruples as to the vio-

lation of the Thirty Years' Truce, which the granting of their request might involve. Furthermore, they commented upon the injustice caused by the absence of a foreign enlistment act at Athens, and criticised severely that benevolent neutrality which has failed to find a footing in modern international law. Their strongest argument, however, was one founded to some extent on the doctrine of the balance of power, and this it was which undoubtedly had most influence with the audience. The Corinthian reply is well summarized by Mr. Wilkins:—

They appealed warmly to the sentiments of honor and of moral obligation, resting their claim on the impregnable grounds of International Law (*κατὰ τοὺς ἑλλήνων νόμους*), and a just construction of the clause their opponents had perverted: on the natural instincts of gratitude for their repeated support of the Athenian cause, and on the harmony of true policy with right.

Their defence of the refusal to submit to the proffered arbitration was undeniably weak; but the rest of their address was vigorous, and had for the moment a considerable effect upon the Athenians. Finally, however, the political necessity of the latter got the better of their finer feelings, and they concluded a Corcyraean alliance, in such terms as, in the opinion of Thucydides, did not lay them open to the imputation of having violated the treaty.

The next debate reported by Thucydides, which was carried on in the presence of the Spartan citizens and the delegates of their confederacy, together with the negotiations which ensued, clearly shows the anxiety of intending belligerents to set themselves right in public opinion. The tenor of the address of the Corinthian delegates upon this occasion, and their vigorous efforts to raise feelings of hatred and alarm against Athens, are described with much force by Mr. Grote. Some Athenian envoys, being present on other business, obtained leave to reply to the Corinthian attack, and offered to submit to a reference upon the whole question; while King Archidamus, who followed them, pressed strongly upon his audience the expediency of adopting such a course. He even goes so far as to say (Thuc. i. 85) that it is not lawful (*νόμιμον*) to proceed before trial against one who offers such satisfaction, as against a notorious offender. But a large majority of the Spartan citizens having declared for war, on the ground that Athens had violated the Thirty Years' Truce, that deci-

sion, in accordance with the practice of the confederacy, was shortly afterwards submitted to a general congress and confirmed.

Though war had thus been decided on in the most formal manner possible, the Spartans evidently had some doubts as to the soundness of their position. In order, therefore, to establish a better *casus belli*, they addressed to the Athenians a series of requisitions, one of which was to the effect that the latter should repeal the decree which excluded the Megarians from their ports and commerce. This was refused on the ground that the Megarians had been guilty of two distinct violations of public law—one in harboring fugitive Athenian slaves, and the other in annexing a portion of certain consecrated ground.

Slavery, being a long established and universal institution in Greece, had of course its special regulations, which, by degrees, acquired the force of positive law. It seems to have been the rule that those to whom slaves had fled were bound to restore them to their masters on payment of a prescribed sum. A fragment of a decree inscribed upon a tablet found in the Acropolis recounts the honors conferred by the Athenians upon a Chian who had, at his own expense, sent back to them some runaway slaves (Rangabé, *Antiq. Hellen.*, No. 472). This practice may have suggested to Antimenes, governor of Babylon under Alexander, the idea of establishing an insurance office, for the purpose of securing masters against losses occasioned by the attempts of their slaves to escape.

The second charge brought against the Megarians involved the crime of sacrilege, an offence generally resented as touching the whole Hellenic community. The Spartan demand in this case was unjust in the extreme; the Megarian decree was in accordance even with the rules of modern international law, and, as hinted by Pericles in the speech in which he urged the expediency of making no concession, was no more than a particular form of the Xenelasia—a practice which Spartan jealousy had incorporated in their political system. He also dwelt strongly upon the refusal to submit to arbitration, and speaking from a different point of view intimated an opinion coinciding with that of Archidamus mentioned above—viz., that States of equal rank, before appealing to arms, should endeavor to find in this way a peaceful solution of the question at issue.

It cannot well be doubted that Pericles was honest in the expression of his anxiety to avoid war by a reference to arbitration; and his readiness to adopt this course, showing that he thought it possible to obtain a fair tribunal, is therefore a valuable testimony in favor of the public morality of the time. The position of Athens at this period with regard to the other States, in respect of the smallness of her territory, and the extent of her colonial empire and her commerce, is remarkably analogous to that of England in the civilized world now. She was thus regarded with a jealousy similar to that which the naval ascendancy of England has always provoked among the Continental States. One might readily imagine Pericles addressing the assembly in the words of Lord Palmerston, used in the House of Commons in 1849, when, opposing a proposition that England should pledge herself to submit to the arbitration of a third party, he said: "I confess that I consider that it would be a very dangerous course for this country to take, because there is no country which, from its political and commercial circumstances, from its maritime interests, and from its colonial possessions, excites more anxious and jealous feelings in different quarters than England does; and there is no country that would find it more difficult to obtain really disinterested and impartial arbitrators." It is needless to remark upon the manner in which this prediction has been verified.

An analysis of all the passages in Thucydides in which allusion is made to public law, and to the principles upon which it is founded, would occupy more space than is desirable. I shall, therefore, add a few passages only, which contain a direct and positive recognition of an international system. The Mitylenæan episode, from this point of view, is in many ways suggestive. The Mitylenæans, having revolted from Athens, and been blockaded by an Athenian fleet, sent envoys to Sparta to solicit assistance. The envoys were invited to attend at the Olympic festival, and state their case to the assembled members of the Peloponnesian Confederacy. They commenced their speech with a reference to "the established law of the Greeks" — τὸ μὲν καθιεστὸς τοῖς Ἕλλησι νόμος. The law thus alluded to was that which, recognizing the duty of loyal adherence to allies, suggests a distrust of the State which secedes from a confederacy without justifiable excuse. They therefore thus early addressed them-

selves to the task of removing the unfavorable impression which their proceeding might suggest. Had they been dealing with the Spartans only, they need hardly have taken this line; Mitylene had doubtless some cause for apprehension from Athens; but hitherto she had been treated as an independent ally, and had had no intimation of any change of sentiment on the part of that State. The envoys, therefore, feeling the inherent weakness of their case, and being apprehensive, probably, that other members of the confederacy might not take so lenient a view of their secession, adopted a tone which marks the prevalence of the feeling and of the rule founded thereon, out of which they attempted to argue themselves. Mr. Grote's criticism upon this speech is well worth quoting:—

Pronounced as it was by men who had just revolted from Athens, having the strongest interest to raise indignation against her, as well as sympathy for themselves, and before an audience exclusively composed of the enemies of Athens, all willing to hear and none present to refute the bitterest calumnies against her, we should have expected a confident and well-grounded, though perilous effort, on the part of the Mitylenæans, and a plausible collection of wrongs and oppressions alleged against the common enemy. Instead of which, the speech is apologetic and embarrassed.

The argument, such as it was, was persuasive, and a fleet of forty triremes, under the command of Alcidas, was sent to the relief of Mitylene. This incompetent commander, who seems to have been as cruel as he was weak and irresolute, having arrived too late to save the city, determined to return at once. On his way back he touched at Myonnesus, and being possibly embarrassed by the number of his prisoners taken from merchant-men which had crossed his path, he there, in violation of the rule that the lives of those to whom quarter had once been given should be spared, put the majority of them to death. This proceeding excited great indignation on the Ionian coast; and shortly after the arrival of Alcidas at Ephesus, he was interviewed by a Samian embassy, who remonstrated with vigor against his gross violation of the usages of war, in slaughtering persons who were "neither actively engaged against him, nor hostile to him, and who were allies of Athens only of necessity." This exposition had such an effect on Alcidas, that he set the rest of his prisoners free.

Nor does the final scene of the Mitylenæan drama fail to support the position

here assumed. Historians have no more difficult task than that of appraising the actions of men who are separated from them by such an interval of time, and by differences so wide of manners and morality. In such an investigation it is necessary to bear in mind, as remarked by Mr. Lecky, not only the type and standard of morality—as inculcated by the teachers—but also the realized morals of the people. The realized morals of a people find an expression in their usages and laws; and when individuals or States relax a portion of their strict rights, or exact a less severe retribution than the prevailing usages of the time would have authorized, they ought to be credited with the motives which induce a similar proceeding now, even though the punishment thus inflicted may seem unduly severe when judged by the standard of our more civilized humanity. In the vote carried by Cleon, on the first day of the debate, there was nothing contrary to the strict usages of war, especially in the case of a revolted ally or dependency which had been reconquered. Nor was this revolt attended by any circumstances which could be called extenuating; on the contrary, it was in every respect aggravated case, and meant much more than the secession of a single city, as having been planned and executed at a most untoward time, and in a manner best calculated to shake the very foundations of Athenian empire. Therefore, had the original decree been carried out, it would have been open to the modern critic only to say that the measure was harsh in the extreme and impolitic, but not unjust. As a matter of principle, the proceedings of the Spartans in regard to the defenders of Plataea was far less justifiable.

The feelings of humanity which began to actuate the Athenians when they proceeded to reflect individually upon what they had done collectively, were evidently so real that Diodotus refrained from attempting to stimulate them further; but he pressed strongly the injustice of their previous decision, pointing out that to exterminate the community—which was no party to the revolt, and had surrendered when it found itself supplied with arms—would be a violation of all just principle.

Some further allusions to this recognized public law are made in the address of the Platæan deputies in defence of the capitulated garrison, and in the Theban reply. The Platæans reminded their Lacedæmonian judges, to quote Mr. Wil-

kins's translation, "When we were at war, you neither suffered nor were likely to suffer anything foreign to the usages of war at our hands." They declared that the Thebans had been guilty of a double violation of law in attempting to seize the city during a truce, and on a solemn festival; and, in excuse of their own conduct, they maintained that they had but taken a righteous vengeance, "in accordance with the universally established law that it is right to avenge oneself upon the hostile aggressor" (*κατὰ τὸν πᾶσι νόμον καθεστῶτα τὸν ἐπιόντα πολέμῳ δαίον εἶναι ἀμύνεσθαι*). They called upon their judges to prove themselves conscientious judges of right, and not timeservers of expediency; and appealed to the sacred character of suppliants which they thought well to assume, insisting that the law of the Greeks forbade the slaying of such (*ὁ δὲ νόμος τοῖς Ἕλλησι μὴ κτείνειν τούτους*). Again (iii. c. 59), they declared that the execution of the prisoners would be inconsistent with Spartan fame, and a violation of *τὰ κοινὰ τῶν Ἑλλήνων νόμιμα*, as well as a wrong done to the memory of their ancestors. The Thebans in their turn dwelt upon the violation of the convention by the Platæans, and their iniquity in slaying in cold blood those to whom quarter had been given. Finally, they called upon the Lacedæmonians to stand by *τῷ τῶν Ἑλλήνων νόμῳ*, which their prisoners had transgressed.

Nor are such expressions, indicating the existence of a universal Hellenic law, to be found only in the pages of the political historian. A remarkable instance occurs in a fragment of Euripides, quoted in the "Florilegium" of Stobæus, where the phrase used, *κοινὸς τῆς Ἑλλάδος νόμος*, is more definite than any employed by Thucydides. The expression *τὰ νομιζόμενα Ἕλλησι* is used by Pausanias.

These instances, to which many others might be added, are sufficient to show that there did exist among the ancient Greeks a valid international law. It was, no doubt, often and grossly violated, at times even by the most civilized of those communities; but the marked disapproval on the part of other States, which generally attended such offences, and which provided the only sanction, apart from war, that such a law can have, is cumulative proof of its reality. The position of the Hellenic communities was, in fact, very similar to that of the European and other nations which have actually or impliedly given in their adherence to the principles of the modern code. It is a recognized

rule now, that due regard being had to the precepts of humanity, those who have not so conformed are not entitled to the milder treatment and greater courtesy extended to those within the pale. We have not sufficient knowledge of the intercourse of the Greeks with foreign States to enable us to estimate the difference between the rules which guided such relations and those which existed among themselves; but so much may be said, that to pronounce them insensible to any moral laws, or to any reciprocal obligations except such as were enjoined by treaties, is to do them a grievous wrong.

In proceeding to examine the indications of the existence of international law among the Romans, the meaning of the phrase *jus gentium* must first be noticed. The mischievous ambiguity of this expression has been discussed by many writers. It may mean either the law which regulates the intercourse of States as such, or those general rules of justice which are almost universally adopted by civilized nations. The confusion is much increased by the circumstance that these two meanings run into one another. A passage in the Geneva judgment of Sir A. Cockburn serves to show how at the present day international law and the common law of a nation are similarly intertwinced.

As Great Britain forms part of the great fraternity of nations, the English common law adopts the fundamental principles of international law and the obligations and duties they impose; so that it becomes, by force of the municipal law, the duty of every man, so far as in him lies, to observe them, by reason of which any act done in contravention of such obligations becomes an offence against the common law of his own country.

This recalls forcibly the "De Officiis," in which (iii. 17) the following passage occurs: "Itaque majores aliud *jus gentium*, aliud *jus civile* esse voluerunt. Quod civile, non idem continuo *gentium*; quod autem *gentium*, idem civile esse debet."

Sir H. Maine, who has discussed at some length the meaning of the phrase, is of opinion that "the confusion between *jus gentium* or law common to all nations and international law is entirely modern, and that the classical expression for international law is *jus feciale*, or the law of negotiation and diplomacy." This opinion must be received with the respect due to so high an authority; but I cannot persuade myself that in either particular it is correct. Sir R. Phillimore, in a valuable note upon this subject, points out that

Livy and Sallust use the words *jus gentium* in the sense of "international law," while the Roman jurists of a later date generally assigned to them the other meaning, or regarded them as equivalent to *jus naturale*. He quotes some passages from the Institutes and the Digest, in which the phrase might seem to retain its earlier meaning; and it is not open to question that in the republican times it was used as equivalent to *jus commune gentibus*. The *jus feciale*, on the other hand, was a mere department of international law. The *Collegium Feciale*, an institution said to have been founded by Numa, and to have derived its origin from Egypt through the Greek colonies, was the authority which regulated the practice and procedure connected with international questions. From its members ambassadors were generally chosen, and they were doubtless authorities of much weight upon the principles of the law, with the ceremonial of which they were entrusted; but the final decision of all such questions was in the hands of the Senate. A sentence in the address of the Samnite Pontius to Postumius and the Roman ambassadors (Livy ix. 11) contains a simultaneous refutation of the double error mentioned above: "Hoc vos, Feciales, *juris gentibus* dicitis?" The words *juris gentibus* can hardly mean anything else here than "the existing law for the direction of international relations;" while, had Sir H. Maine's dictum as to the proper classical expression for international law been correct, the historian would probably have used the proper classical expression, and at the same time pointed the question addressed to the Fecials, by substituting for *gentibus* the word *fecialis*.

The spirit of legal ritualism, which developed among the Romans a number of intricate ceremonies, and attached an excessive importance to their accurate observance, necessitated the existence of such an institution. The principal portion of its functions consisted in the regulation of the solemnities with which war was proclaimed and concluded, treaties and alliances entered into, and general negotiations conducted. Not the least remarkable circumstance connected with it, nor the least characteristic of that law-abiding spirit which afterwards gave a jurisprudence to the world, is the fact that its establishment followed at so short an interval the foundation of the Roman city.

It would appear, then, that in the earlier times the expression *jus gentium* had a

double meaning, and that under the empire it lost its sense of "international law." The explanation of this is simple; when international law ceased to exist, the words expressive of the idea had no longer any reason for surviving. The decadence of international law was not caused, as sometimes alleged, by the corruption and demoralization which attended the fall of the republic, but was the result of the extension of Roman dominion over the known world. When it came to pass that a decree went out from Cæsar Augustus that all the world should be taxed, it was hardly possible that the *jus gentium* in its earlier sense should maintain an independent existence.

In examining the views of the Roman writers upon this subject, it must be remembered that they were not, like Thucydides, contemporary historians; the evidence, therefore, supplied by their remarks must so far be discounted. Even as early as the times of the first king of Rome, according to Livy (i. 14), some respect for the *jus gentium* had been developed. Some Laurentine envoys had been maltreated by the relatives of King Tatius, who, being asked for satisfaction "*jure gentium*," yielded to the prayers of the offenders and refused it. He was consequently assassinated at Lavinium, whither he had gone to celebrate a sacrifice. It was said that Romulus was less concerned about this proceeding than its gravity demanded; either because he distrusted Tatius, or thought that in this instance he had got what he deserved.

Descending to somewhat more historical times we find a remarkable incident narrated by Livy (v. 36), which shows that, in his opinion, the rules of international law were even at that time regarded with respect by nations whom the Romans despised as barbarians. The Senones, a Gallic tribe, having laid siege to Clusium, that city sent an embassy to Rome, with a request for assistance. Three of the Fabii, represented as high-spirited youths, were sent as envoys to the Gauls, with a somewhat imperious message. Having delivered this in a tone by no means conciliatory, they received a similar reply. This they resented so hotly that they laid aside their diplomatic functions, and "*jani urgentibus Romanam urbem fatis, legati contra jus gentium arma capiunt.*" One of them was recognized in the battle, and forthwith a retreat was sounded along the whole Gallic line. Some were for marching straight upon Rome; but the advice of the elders was accepted, that an em-

bassy should be sent to complain of the wrong done, and to demand "*ut pro jure gentium violato Fabii dederentur.*" To the Roman Senate the barbarians seemed to demand no more than their right; but hesitating to decide against men of such position, they for the first time in their history referred to the people a question of this nature. The multitude endorsed the action of the Fabii by electing them military tribunes for the ensuing year.

The remorse for this proceeding, by which the historian supposes his countrymen to have been actuated, finds its expression in the words of Camillus, when the proposal to migrate to Veii was discussed in the public assembly: "*Quid hæc tandem urbis nostræ clades nova? Num ante exorta est quam spreta vox cælo emissa de adventu Gallorum, quam gentium jus a legatis nostris violatum, quam a nobis, quam vindicari deberet, eadem negligentia deorum prætermisum?*"

The following is a pointed instance of the use by the same writer of a phrase which indicates clearly his recognition of international law. Some Roman colonists of Circeii and Velitræ had joined the Volscians in a war against Rome, and certain of this number had been taken prisoners. At the conclusion of the war (Livy vi. 17), these two towns sent envoys to Rome to excuse their conduct, and to ask for the prisoners, that they might be dealt with according to municipal law. The envoys were severely rebuked, as representing men who had made war upon their metropolis; their request was refused, and they were ordered instantly to depart out of the sight of the Roman people, "*ne nihil eos legationis jus, externo, non civi comparatum, tegetet.*"

Other Roman historians and writers use the expression in the same sense. Sallust informs us (Bell. Jug. c. xxii.) that Jugurtha, on being remonstrated with by Roman envoys for his violence to Adherbal, declared that the latter had taken the initiative by plotting against his life: "*Populum Romanum neque recte neque pro bono facturam, si ab jure gentium se prohibuerit.*" Tacitus varies somewhat the form of the expression. Germanicus, in his reproachful address to his soldiers on their return to allegiance, is represented as saying: "*Hostium quoque jus, et sacra legationis et fas gentium rupistis*" (Ann. i. 42). Again we find in Seneca (De Irâ iii. 2), "*Violavit legationes, rupto jure gentium, rabiesque infanda civitatem tulit.*" And finally, the historian Quintus

Curtius, whose date, later than that of any of the writers already quoted, has not yet been accurately fixed, writes, "Caduceatores interfecti, jura gentium violata" (iv. ii. 17).

These instances are of sufficiently wide selection to show what was the meaning attached to the phrase in question during the republican period and the earlier times of the empire. They will also serve to refute more clearly the erroneous views mentioned above. In not one of these quotations could *jus feciale* be substituted for the expression used. The scholar who attempts to make this alteration will readily perceive the limited meaning of the latter term.

It has now been shown that both the Greeks and Romans possessed a certain amount of international phraseology. The extent of the language of Greek diplomacy, which, considering the ground that it covers, is much fuller than that of modern times, requires a special study for its appreciation. There were eight or ten technical terms to express the different sorts of treaties into which nations might enter, and nearly as many names for ambassadors, according to the nature and object of their mission. The language of Roman diplomacy was probably much less extensive; but owing to the scanty information furnished by their historians, and the unfortunate disappearance of almost all their diplomatic records, it is difficult to speak with certainty upon this subject.

It is hardly possible that special treatises upon matters of so great interest, and held in such respect, did not exist among the Greeks and Romans. The "Mānava Dharmāsāstras" — a work more generally but less correctly known as the "Institutes of Manu" — contained a code of diplomatic regulations, and it is probable that a similar code was in existence among the ancient Egyptians. But by a strange fatality hardly any trace has survived of Greek or Roman disquisitions upon international law or diplomatic practice. Aristotle is known to have written a work entitled *Δικαιώματα πόλεων*. This title, however, is ambiguous, and the scanty fragments of the work which have survived, would seem to indicate that it dealt with municipal rather than international questions. Demetrius the Phalerean — who, escaping from Athens on the approach of Demetrius Poliorcetes, took refuge with Ptolemy Lagus, and to whose influence the foundation of the Alexan-

drian Library has been ascribed — was the author of three books, entitled *Δίκαια*, *Προσβευτικός*, and *περί Ειρήνης*: but no more is known of the contents of these volumes than what their titles suggest. The "Antiquitates Rerum humanarum" of Varro contained a book, "De Bello et Pace," of which a few fragments remain. The same author is said to have written on "Legationes," but the evidence of this is insufficient. The loss of these works is the more to be regretted, as "the most learned of the Romans," who had held high commands in the wars against the pirates and Mithridates, and had subsequently served as Pompey's lieutenant in Spain, would, from his practical knowledge, have been a most valuable authority upon such questions. The celebrated collection of decrees and treaties made by Craterus of Macedonia in the fourth century B.C. has also entirely disappeared. Among the treaties contained in this collection was one supposed to have been made between the Greeks and Persians after the battle of the Eurymedon, which however the historian Theopompus, judging from the dialect used, ascribed to a later date. Of the three thousand tables of bronze collected by Vespasian when he rebuilt the Capitol, not a single original remains. This collection, styled by Suetonius "instrumentum imperii pulcherrimum," was a record of the public life of the Roman State from the year 390 B.C., and must have contained documents which would have thrown much light upon questions of diplomacy and international law.

Failing such means of knowledge, we are relegated for information on these subjects to incidental statements and allusions of the historians and orators — many of them, especially in the case of the Romans, not to be trusted implicitly. Our knowledge of the language of Roman diplomacy is particularly scanty. Not one treaty made by the Romans with a foreign State has been preserved in Latin; all that remain are known through Greek translations. Of the *fecial* diction but a few formulæ and fragmentary sentences have survived, preserved by Livy, Aulus Gellius, Varro, and — where one might least expect it — in the "Satyricon" of Petronius Arbiter. It is, however, some compensation for these losses, that the discovery of the Greek inscriptions has shed a flood of light upon such matters, and that the treasury of knowledge thus opened is, in all probability, still far from being exhausted.

PART II.

THE general progress of modern civilization has, as might be expected, developed a number of new international questions, the complication of which is increased, owing to the circumstance that the several members of the civilized fraternity have not, as regards their moral progress, advanced with equal strides. The questions connected with slavery, which is still recognized by some civilized States, present an instance of the difficulties arising from this cause. It is, of course, not unlikely that in the ancient world similar perplexities may have arisen; but they were probably resolved in a rough-and-ready way which modern enlightenment could not tolerate.

But in several departments international law advanced in a manner not altogether disproportionate to its progress in later times. The treaty system, the rights of ambassadors, the systems of consular agency and of arbitration, and the usages of war, all present points of analogy with the corresponding modern institutions. To some of these subjects I have already incidentally alluded in discussing the phraseology which marks the recognition of international law. Each of them now demands a few further remarks, to which will be added a brief notice of the more important diplomatic records whence our knowledge is derived.

The oldest text of a treaty now in existence is that of the convention made between Ramses II., king of Egypt, and the prince of the Kheta. Even those who are aware of the early progress made by the Egyptians in the arts of writing and of diplomacy, cannot fail to be surprised at the length, nature, and precision of this remarkable document. The original was engraved on a large silver plate with a ring at the top; an official copy on a *stèle* of stone was found embedded in the ground at Karnak, with a portion of the surface protruding. It contains, according to the arrangement of the Vicomte de Rougè, forty-nine clauses, many of which are mutilated. The earlier clauses contain recitals of the relations previously existing between the two peoples, and of the manner in which the prince of the Kheta on his accession directed his thoughts towards peace. The articles of a permanent offensive and defensive alliance are then inserted, and are followed by clauses providing for the extradition of emigrants, deserters, and in particular of skilled workmen. The arrangement is

then, in a series of articles, commended to the protection of innumerable gods and goddesses of Egypt and the Kheta. There follow special provisions to the effect that in the case of the extradition of any runaway, his delinquency shall not be brought up against him; further, that no punishment shall be inflicted on any member of his family, and that no tortures or cruelties, which from their accurate specification would seem to have been common, shall be practised on himself. The final clause refers to a relief at the top of the tablet, in which a figure representing the King of Heaven, protector of the stipulations proposed by the prince of the Kheta, is embracing a figure of that prince. I have described this treaty somewhat in detail, as it may fairly be considered, having regard to its antiquity (about the fourteenth century B.C.), the most remarkable document now in existence which records an international transaction.

In Greece, on the other hand, ignorance or an imperfect knowledge of the art of writing for a long time retarded a similar development of diplomatic documents. Passing over a mythical treaty supposed to have been made between Athens and Eleusis in the reign of Erechtheus, and arriving at a time hardly less fabulous, the earliest account of a treaty or of an agreement in the nature thereof, and of the ceremonial with which it was concluded, is that given in the third book of the *Iliad* (245 *sqq.*)—a scene imitated by Virgil in the twelfth book of the *Æneid*. In such cases, the preliminaries having been arranged, the making of the treaty consisted in the public declaration of its terms, and invocation of the gods, sacrifices and libations, with a solemn imprecation of vengeance on any one who should set it at naught. This custom of imprecating divine vengeance upon him who violated an oath was common to many nations of antiquity—among others, to the Jews and Phœnicians. The publicity of the proceedings imported as much certainty into the transaction as was required, while the brevity and simplicity of the terms sufficiently ensured their remembrance without the assistance of documentary records.

Descending to more historical times, the earliest formula which we find in connection with alliances is the oath taken by the several members of the Amphictyonic Confederacy. The orator *Æschines* has preserved this oath in his speech *περὶ παραπροβείας*, s. 116. In that against Ktesiphon, s. 109, he refers to the time of Solon

a fo
part
and
usual
tion
repe
was
— K
simp
assi
riod
boun
proa
otus
Athe
in a
T
and
was
olde
long
writ
latic
T
there
com
need
well
who
Olyn
shall
son,
pena
T
poin
vail
noti
treat
one
so n
main
table
temp
with
was
year
mon
be p
Zeus
Apo
in th
at S
dian
were
Fidi
Fidi
A
visi
ing
The
ress
peri

a formula of imprecation which formed part of the Amphictyonic proceedings, and which would seem to have been the usual complement of the oath before mentioned; for he remarks, immediately after repeating the terms of the oath, that "it was sanctioned by a mighty imprecation:" — καὶ προσήν τῷ ὄρκῳ ἀρὰ ἰσχυρὰ. The archaic simplicity and brevity of these documents assign their composition to an early period. The formula by which the Greeks bound themselves together on the approach of the Persians, set out by Herodotus, vii. 132, and the oath which the Athenians took individually, are couched in a similar style.

The treaty made between the Eleans and the Heræans, the original of which was discovered at Olympia in 1813, is the oldest original document in existence belonging to European diplomacy. It is written in the Doric dialect, and the translation runs somewhat thus:—

Treaty of the Eleans and Heræans. Let there be an alliance for one hundred years commencing from this year. Should there be need of words or action, let them unite, as well for other purposes as for war. Let those who refuse so to do pay a silver talent to Olympian Zeus by way of fine. Whosoever shall destroy this writing, whether private person, magistrate, or town, shall be liable to the penalty herein written.

This laconic document suggests several points of importance. The custom prevailed among the Greeks, which, as already noticed, existed in Egypt, of placing a treaty under the specific guardianship of one or more deities. The preservation of so many documents of this sort is owing mainly to this custom; for the *σῆλαι* or tablets were naturally deposited in the temple of the guardian deity, so as to be within his special cognizance. Thus, it was prescribed by the terms of the fifty years' truce between Athens and Lacedæmon (B.C. 421), that counterparts should be placed in the temples of the Olympian Zeus, of the Isthmian and Delphian Apollo, upon the Athenian Akropolis, and in the sanctuary of the Amyklæan Apollo at Sparta. At Rome, Janus was the guardian deity of alliances, and such records were kept at first in the temple of *Dius Fidius*, and afterwards in that of *Bona Fides* on the Capitol.

Another point is suggested by the provision which fixes a definite period during which the treaty is to remain in force. The idea may have been that the progress of events might, at the end of the period named, demand a revision of the

arrangement; or possibly, the rise and fall of States being so rapid in those times, a treaty for one hundred years may have been looked upon in the light in which a lease for nine hundred and ninety-nine years is regarded by us. In somewhat later times special articles were inserted in treaties (Thuc. v. 18), empowering the contracting parties to revise and alter with mutual consent. The principle is here recognized, which, though formally admitted, was practically disregarded by Russia in 1871, that no State can liberate itself from the engagements of a treaty, or modify its stipulations, without the consent of the other signatories. It is the practice in modern times neither to define the period during which the treaty is to remain in force, nor to insert a clause providing for its periodical revision. This system would seem to have been instrumental in producing a loose morality with regard to the obligatory force of such documents; and the question is thereby raised whether a return to the ancient system would not be advisable, by the definition of a period long enough to secure the subsidence of angry feelings and the re-establishment of amicable relations. This practice would, at any rate, have the advantage of making the disregard of such obligations during the prescribed period more glaring, and consequently of bringing a stronger public opinion to bear upon the international offender. According to the present system, the State upon which a restriction is imposed itself selects the time for making the desired alteration; and it is needless to add that it finds its opportunity, as Russia did in 1871, in the difficulties of those who have imposed the burden. Nor does such a proceeding want the justification of a high and independent authority. Professor Mommsen, speaking of the transaction at the Caudine Forks, of which his particular view is correct, states the general principle thus: "A great nation does not surrender what it possesses except under the pressure of extreme necessity. All treaties which make concessions are acknowledgments of such a necessity, not moral obligations. Every people justly reckons it a point of honor to tear in pieces by force of arms treaties that are disgraceful."

It was confessedly the prevalence of this doctrine, and the knowledge that it would meet with a practical recognition in France, that induced the Germans, after the war of 1870, to impose such conditions as would materially cripple that country in

a future struggle with the German Empire. The victors, no doubt, estimated with care the circumstances of the position, and it may be presumed that they were competent judges of it; yet the annexation of Alsace and Lorraine renders inevitable a war which might otherwise have been indefinitely postponed, and which, in the event of danger to the German Empire from religious discontent or other causes, may prove disastrous in its results to those who took so hazardous a security.

When in subsequent times treaties were made with the intention that friendly relations should continue to exist without interruption, a provision was inserted to the effect that the treaty was to remain in operation forever. This clause is found in the treaty between Olonte and Lato, two Cretan towns (*Corpus Inscriptionum Græcarum*, No. 2554). The Roman treaties, on the other hand, resemble in this respect those of modern times. The first treaty between Rome and Carthage, a translation of which is given by Polybius, and which is generally supposed to have been made shortly after the expulsion of the kings, contains no limitation of this kind. It has some clauses of a protective nature, indicative of the jealous spirit which naturally pervaded a great mercantile community. Roman vessels generally are forbidden to pass the promontory called Kalon; and if compelled to do so by stress of weather or of the enemy, are not to trade, but may purchase necessities for refitting or for religious observances, and must leave within five days. The regular traders (probably those who were licensed) are to transact no business except in the presence of a herald or a notary; if they observe this regulation, the public credit is pledged for the merchandise which they sell. Romans coming into the part of Sicily owning Carthaginian sway, are to enjoy a complete equality of rights with the Carthaginians.

The mention of the Carthaginians in connection with Sicily, recalls a remarkable treaty to which this State was a party a few years subsequently. Simultaneously with the triumph achieved by the Greeks at Salamis, Gelon and Theron, the Greek despots of Sicily, gained a great victory at the Himera over the Carthaginian forces. In the treaty which settled the terms of peace, if we are to believe Theophrastus, an article was inserted which imposed upon the Carthaginians the obligation of abandoning the practice of human sacrifice. Some

writers are inclined to be incredulous as to this, on the ground that Theophrastus is the only author who mentions the circumstance, and that, as we learn from Diodorus Siculus (xx. 14), the practice was not permanently discontinued at Carthage. Failing, however, further means of discrediting Theophrastus as to a statement the reverse of incredible, this may be regarded as an instance in which the principle of humanity dictated the imposition of a condition upon a subject about which those who imposed it were not materially concerned.

Coming to a somewhat later period, we shall find a considerable development in the art of treaty-making. The various negotiations which were carried on during the Peloponnesian War show a marked advance in this direction. The strict observance of the recognized formalities of international law is shown by the statement made at the commencement of Thucydides' second book, that thenceforward the two parties opened no communication with one another except through the intervention of heralds. This historian adopted the practice, too much neglected by others, of inserting into his work not only the texts of official documents, but also in some cases a detailed account of the negotiations which preceded them. The first of these documents which requires notice is that which records the terms of the truce for a year made in 425 B.C. (Thuc. iv. 118). From this it appears that three classes of persons were concerned in such negotiations — heralds, ambassadors, and their suites (*κίηρυκε δὲ καὶ πρεσβεία καὶ ἀκολούθους κ. τ. λ.*). The herald, to whom the preliminary arrangements were assigned, had played an important part in the heroic times. About the age of Solon this office seems to have been a recognized part of the Athenian constitution, and to have been regarded as a sort of magistracy, as may be inferred from the oath of the Heliasts, quoted by Demosthenes in his speech against Timocrates (§ 149). The ambassadors, styled *ἀντοκρατόρες* when entrusted with the authority of plenipotentiaries, of course conducted the main business; their chief was termed *ἀρχιπρεσβυτής*. The *ἀκόλουθοι* were probably the ordinary attendants of an ambassador, such as Cicero calls *assecles*. The two Athenian State galleys, the "Paralus" and "Salaminia," were set apart, amongst other duties, for the conveyance of embassies; and it was possibly from this employment that they derived their name of *εἰρηναρχίδες*.

It would appear from the hypothetical form of the document that it was drafted at Sparta and sent to Athens for approval. Its final clause contains a request to the Athenians, if they think any alteration desirable, to send ambassadors with full powers for its discussion. The course thus adopted was the same as that pursued in the case of the Egyptian treaty already mentioned. The text of the agreement is followed in Thucydides by the formal decree of ratification on the part of the Athenians. This decree records the name of the presiding tribe, of the clerk of the council, and of the chairman or speaker. It was moved by Laches, and by it the truce was accepted as the basis for negotiations which should determine the war. It was sworn to by three representatives of Athens and Sparta respectively, and by two belonging to each of the other contracting parties.

The similarity in form between this document and the three treaties set out at length by Thucydides in his fifth book shows that by this time a fixed and peculiar style had been adopted for the recording of international transactions. In these treaties the rights of the several parties are accurately stated, and their mutual concessions and engagements set out with much precision. The alliance, offensive and defensive, of the Athenians with the Argives, Mantineans, and Eleans, contains, among other minute provisions, a clause regulating the pay to be given to the troops of any State from which assistance may have been required, a higher rate being fixed for the cavalry than for the light and heavy infantry and archers. The religious formalities are prescribed with scrupulous care, as is also the form of the oath, which is to be sworn by the several States in their most solemn fashion. The various bodies and individuals who must take the oath are mentioned, as well as the officers who are to administer it. Provision too is made for the periodic renewal of these oaths, and the times and places for such ceremonies are determined. Copies of the treaty are to be kept in the respective capitals, and the several States are to join in depositing a copy at Olympia. In the final clause of each treaty mentioned in this book, there is a provision for making such alterations as events may demand, to the validity of which the consent of all parties is required; while the several modifications of the arrangement between the Lacedæmonians and the Persian satraps, recorded in the eighth book, present an instance of

the manner in which such provisions were carried into effect.

One of the points which strikes us most forcibly in reading the account of Thucydides is the great publicity amidst which these negotiations were conducted, as compared with the excessive secrecy which characterizes the operations of modern diplomacy. Ambassadors arriving at Athens or Sparta announced their powers and discussed the business with which they were charged, in presence of the general assembly of the citizens. This seems to have been almost the universal practice of the Greek States, including those whose form of government was not democratic. At times, indeed, when it was desirable to avoid the turbulence of a public discussion, or for other reasons, a private conference with some of the leading statesmen was proposed. Such a proposition was acceded to in the case of the Melians, and Thucydides gives a detailed account of the manner in which the discussion was conducted. Sufficient reason for the granting of this request is to be found in the nature of the argument advanced by the Athenian envoys. That its general character was such as Thucydides has stated, there is little reason to doubt, even though Dionysius of Halicarnassus accuses the historian of attempting to discredit the country which sent him into exile. But we may readily hesitate to believe that the Athenians, though demoralized, as any nation might be, by the long continuance of the war, would have advanced before a public assembly the arguments by which they then sustained their cause. Mention is made occasionally of such a request being refused. The Spartan envoys who came to Athens to treat for the release of the men blockaded at Sphakteria requested that commissioners (*ξίπιδες*) might be appointed, with whom they might discuss each point in quietude, and arrange such terms as they might persuade one another to accede to. This, through Kleon's influence, was refused, and the envoys — not sufficiently confident of their ability to face the assembly, and feeling that the popular expectation would not be satisfied with the concessions which they were empowered to make — retired without having accomplished anything.

It might have been thought that the documents already referred to were sufficiently minute; but the treaties made in the ensuing century show a further development in this direction. A treaty between the towns of Hierapytna and

Priansos (C.I. 2556), confirming and extending the terms of a previous alliance, contains a number of provisions relative to favors which are mutually bestowed. The rights of citizenship in general, including that of intermarriage, of the acquisition of property, of participation in religious observances, of buying and selling, borrowing and lending at interest, and of entering into every sort of contact according to the *lex loci*, are interchanged. A system of free trade is established between the two towns, with the exception of certain articles imported by sea, and a right of search is given. The *cosmi* or chief magistrates of each town are to supply with necessities the envoys of the other, failing the performance of which duty they are to pay them ten staters. The magistrates of each town are to have the right of entry to the senate and seats in the public assembly of the other town, along with the magistrates of the latter. Thenceforth and forever, the terms of the alliance are to be read publicly every year during a certain festival, and ten days' notice is to be given to the other town of the intention to perform this ceremony. The omission to do this, or to give the proper notice, is visited with a fine of one hundred staters. Any offender against the terms of the treaty may be brought to justice before the common court, at the suit of an informer, who, if he proves the offence, is to have one-third of the penalty, the remainder to be consigned to the public chest. In case of spoil taken from the enemy, either on a joint expedition or otherwise, each soldier is to draw a share by lot, after a certain portion has been set apart for one or both of the towns. With respect to any wrongs still unredressed, or claims unsatisfied, they are to be settled by a mixed commission, composed of the chief magistrates of both towns, whose decisions are to be given within one month after the ratification of the treaty. As regards the settlement of future wrongs, advocates are to be employed, according to the prescribed general orders. The place for the sittings of the common court is to be regulated by the annual magistrates, and mutual guarantees are to be given for the due discharge of this business within two months of their taking office. Then follow regulations providing for the revision of the treaty, and for the setting up of the tablets in the temples, with specified fines for neglect.

The texts of the treaty between Hierapytna and Rhodes, and of that between

Olonte and Lato—two Cretan towns—are each somewhat longer than that of which an abstract has been given; but the most remarkable of all the records of this class which have survived is the stone on which are engraved three documents, settling the relations of the Smyrneans and Magnesians, 244 B.C. (C.I. 3137). The first of these documents is the decree promulgating the alliance, the length of which is almost equal to that of the treaty between Hierapytna and Priansos. The second is the text of the treaty itself, which is about twice as long as the decree. The third shows that the proceedings were rather one-sided, as it records a proposal on the part of the Smyrneans, in the interest of Seleucus, that the Magnesians should admit a garrison into their town, and the acceptance of the proposal by the latter people.

Reviewing generally these last-mentioned treaties, and others of the same period, it may be said that their most curious provisions are those which regulate the formalities to be observed in their ratification and future publication at intervals. Several of them contain, in addition to the form of the oaths, and the specification of the functionaries who are to administer them, provisions that the expense of the marble tablets, and of engraving and setting them up, shall be furnished by the treasury, while economy is secured by limiting the sum to be expended for this purpose. The special attention paid to these matters will not seem strange, when it is remembered that the inscribing of a treaty upon marble and its deposit in a temple, may be taken to represent the practice of publishing State papers in the official *Gazette*.

The Roman diplomatic documents, of which but a few have reached us, present a marked contrast to those which have been examined. Livy unfortunately contents himself with stating the purport of a treaty instead of recording the text. In addition to the early treaty between Rome and Carthage, already mentioned, Polybius (iii. 24, 25) sets out the text of two further documents by which the previous arrangements were revised and altered. The second treaty is directed especially against the encroachment of either party on the domain of the other. The Romans are forbidden to trade, colonize, or go on pillaging expeditions outside certain limits; while the Carthaginians, if they capture a city in the Latin territory not subject to Rome, may carry off the inhabitants and movables, but must give up the

city. The third treaty, made in the expectation of the arrival of Pyrrhus, is remarkable as containing the form of invocation of Zeus Lithos, and an imprecation of disaster on him who, in intention or in deed, violates its provisions. The treaties by which the first and second Punic wars were concluded adopted the practice introduced by Gelon of Syracuse, and becoming prevalent in modern times, of making the vanquished party pay the expenses of the war. This idea, once started, seems to have recommended itself to the Romans; for they followed it up by seizing Sardinia in the midst of the distress occasioned to Carthage by the Libyan war, and by making the Carthaginians, as the price of peace, pay the costs incurred in that most unjustifiable proceeding. The treaty which closed the first Punic war also fully recognized the principles embodied in our foreign enlistment acts, inasmuch as by one of its provisions each party was forbidden to enlist recruits in the territory of the other.

The conciseness which marks these treaties displays a remarkable contrast to the luxuriant verbiage and excessive formality which characterize contemporary Greek documents of a similar kind. In these latter, mutual covenants and agreements are set out with almost as much prolixity as the covenants in a modern settlement. Here, on the other hand, an undertaking by one of the contracting parties is frequently provided for by reference to a similar undertaking on the part of the other. Amongst the other treaties noticed by Polybius, the most deserving of mention is that made between Hannibal and Philip of Macedon for the prosecution of the war against Rome (vii. 9). In this document a successful issue of the war is anticipated with much confidence. It goes so far as to mention some of the conditions to be imposed upon the vanquished Romans; and concludes with the clause so usual, as above mentioned, in Greece, which provides for the revision of the terms of the alliance.

But from the time when Rome became mistress of Italy, and felt her power thoroughly consolidated at home, her international discussions began to be conducted in a manner in which the refinements of diplomacy were but little regarded. Livy gives an interesting account of a conference (xxxiv. 57, 58) between ten Roman representatives and two ambassadors of Antiochus. An oecumenical meeting of legates was then being held at Rome, each of whom stated his business in the

presence of the Senate. In this case a private conference had been arranged, *quia longior disceptatio erat*. When Menippus, the envoy of Antiochus, was proceeding to settle in true diplomatic style the basis upon which the discussion should proceed, the Roman Quinctius, coming to the point at once, offered him one or other of two conditions. The argument had but just started upon these alternatives, when Sulpicius, the senior Roman delegate, cut it short: "What is the use of circumlocution? Choose one or other of the two conditions, or give over the question of an amicable arrangement."

At times, however, Roman diplomacy would seem to have been less ungenerous and exacting. The letter of the Roman Senate recognizing the right of asylum at Teos, and exempting that city from tribute, which has reached us through a Greek inscription (C.I. 3045), besides indicating a regard for the principles of humanity, is one among many instances of the consideration displayed by Rome for the smaller States with which she came into contact. This letter, moreover, mentions Menippus as the ambassador of Antiochus and the Teians — probably the same person whose plausibility failed to convince the Roman legates. It seems, indeed, to have been her policy to endeavor to weaken the influence of the larger kingdoms, by encouraging a spirit of independence among the more insignificant communities. As an instance of this, it is recorded by a fragmentary inscription (C.I. 2485) that about the year 105 B.C. the petty Dorian community of Astypalæa, one of the Sporades, concluded an offensive and defensive alliance with the Roman Senate. Thus did the kingdom of iron consolidate her power by conciliating the petty nationalities against which the employment of force would have been almost ridiculous. This remnant of a treaty is fraught with a lesson which has not always been remembered by the statesmen of modern times.

A few other documents of this kind have survived, mainly through the Greek inscriptions, the Books of the Maccabees, and the history of Josephus; but an examination of them fails to show any progress such as that which marks the development of Greek diplomacy. Once impressed with the imperious tone which it was not unnatural that a conquering nation should assume, Roman diplomacy pursued the even tenor of its way, until, having ceased to be required, it was succeeded by the

system of imperial rescripts, in reply to queries of provincial governors.

Touching the duties and privileges of ambassadors, to a part of which subject incidental allusion has already been made, the literature of antiquity is plentiful in information. The position of an ambassador was well defined from a very early time. Whatever offence he might commit, he was amenable solely to the jurisdiction of the country which he represented. This rule of international law, recognized, as will be seen, by the Greeks and Romans, was settled in modern times, as late as the reign of Elizabeth, when an attempt was made to bring the ambassadors of Spain and Scotland within the criminal jurisdiction. The extension of similar immunities to an ambassador's suite was analogous to the privileges now conceded to such persons, and to the extra-territoriality which by a legal fiction belongs to an ambassador's residence. The case of Bomilcar (De Bell. Jug. c. xxxv.) may aptly be quoted here. Bomilcar, at the instigation of Jugurtha, then sojourning at Rome, had treacherously slain Massiva, and been detected through the information of an accomplice. "Fit reus," says the historian, "magis ex æquo bonoque quam ex jure gentium Bomilcar comes ejus, qui Romana fide publica venerat." Bomilcar, no doubt, belonged to a royal suite; but the principle which the historian here recognizes as a part of the *jus gentium* is the same, for such privileges are extended to an ambassador solely upon the ground that he represents a king, or other sovereign authority.

As the Athenians frequently bestowed public honors on those who successfully discharged their missions, so they were at times called upon to punish their representatives for malversation or other misconduct. An inscription (Rangabè, ii. 422) records a decree of this nature in favor of Demetrius the Phalerean. According to another inscription (Rangabè ii. 2298) a similar honor was paid to one Posidippus, who had rendered much service to an embassy accredited to Cassander. The modern practice analogous to this is the bestowal of the thanks of Parliament—a favor, however, which is generally reserved for military or naval success.

Malversation on the part of an envoy was deemed a crime of the gravest character. A law quoted by Demosthenes (περὶ τῆς παραπρεσβείας, § 7), and probably attributable to Solon, specially forbids an ambassador to receive presents; and it is

recorded by Xenophon and Plutarch that Timagoras, an Athenian envoy to Artaxerxes, was accused by his fellow envoy and put to death for this offence. "If it was for the quantity he got," says Plutarch, "it served him right;" and he subjoins a list of the presents, adding that the hire of the vessel chartered to convey them amounted to four talents. It is stated by Demosthenes in the same speech (§§ 126 and 131) that death was the penalty for merely pretending to be an ambassador, and acting in that capacity without due authority; with so great jealousy did the Athenians regard the attempt to usurp a function which carried with it such important privileges.

Few instances are recorded of violence offered to the persons of ambassadors by those to whom they were accredited in consequence of offences committed against them. The rule was well recognized and almost universally acted upon by both Greeks and Romans, that they were amenable only to the jurisdiction of their own country. The outrage offered to their ambassadors by Alexander of Pheræ, B.C. 366, was considered by the Thebans to constitute a *casus belli*. Pelopidas and Ismenias having been thrown into prison by that prince, on suspicion of a design on their part to overthrow the independence of Thessaly, the Thebans forthwith declared war, and despatched two expeditions in succession to the rescue of their envoys. It would appear from the account of Cornelius Nepos (Pelopidas, c. v.) that the suspicion was not without foundation; for he describes Pelopidas as "aiming at the reduction of Thessaly beneath Theban sway, and deeming himself sufficiently protected by his right as ambassador, which was customarily held sacred among all nations."

An incident narrated in Livy's second book (c. 4) indicates the historian's belief that this principle of international law was held in respect by the Romans at a very early time. The Tarquins, shortly after their expulsion, sent envoys to Rome nominally to demand possession of the property which had belonged to them. This request was granted by the Senate after some hesitation, and a time allowed to the envoys within which the property should be removed. They employed this interval in organizing a conspiracy for the restoration of the royal family, but were detected through the instrumentality of a slave. For a while there was some doubt as to the course to be adopted with regard to the envoys; "and though their conduct

seemed to entitle them to be treated as enemies, nevertheless the law of nations prevailed."

The story told by the same historian (viii. 5, 6) of Anniius, the Latin ambassador, shows a similar spirit on the part of the Roman senators of that day, and reflects much credit on their moderation in rather aggravating circumstances. Anniius, having addressed the Senate in a violent and insulting speech, was answered by the Consul Manlius in a similar tone. Amid the uproar which ensued the voice of Anniius was heard, raised in blasphemous contempt of the Roman divinities whom the consul had invoked. Quitting the Senate-house the Latin ambassador fell, and striking his head against a stone, for a time lay senseless. So furious was the commotion which arose over his prostrate body that, according to the historian, "it was the care of the officers who, by the consul's orders, were in attendance on the departing envoys, rather than regard for the law of nations, which saved them from the infuriated onset of the populace." Livy relates another instance (xxv. 7) in which the offence seemed so unpardonable that the rules of law were for the moment forgotten, and all concerned were put to death. During the second Punic war, Phileas of Tarentum, an envoy to Rome from that city, established a communication with some Thurian and Tarentine hostages, and persuaded them to attempt an escape. Having bribed their keepers and made all the arrangements, he accompanied them in their flight; but the party was overtaken and captured, and all were executed without delay, upon their return to Rome. The severity of this procedure against an envoy seems to be without parallel in Roman history; and doubtless the Romans themselves are long regretted their hasty action, as it occasioned them the loss of both Thurii and Tarentum. There were, however, some extenuating circumstances: the Tarentines were notoriously regardless of international obligations, as shown by their wanton attack upon a Roman fleet some seventy years before, and their outrageous insolence to the Roman envoy Postumius, who was sent to demand satisfaction. Moreover, the historian freely intimates that the embassy of Phileas was merely a cloak for his design; for he describes him as sojourning at Rome *diu jam per speciem legationis*. The occurrence, too, took place when the war was at its height, at a time when the excited temper of the people

would be more likely to resent so treacherous a proceeding.

We have the authority of Diodorus Siculus for an incident nearly contemporaneous with that last mentioned, which, if true, to some extent redeems that error. During the same war, some envoys sent by Scipio on a mission to another State, had been roughly handled and subjected to much indignity by the Carthaginians; shortly afterwards, by a sort of divine retribution, a Carthaginian embassy fell into his hands; and though, according to the recognized doctrine of reprisals, he would have been justified in retaliating, he declined to follow a bad precedent, and sent them back in safety to Carthage.

A further instance, unique in all its particulars, may be subjoined. In this case a State not only submitted to the execution of its ambassador by the prince to whom he was sent, but ratified the sentence by inflicting the further penalty of confiscation of his property in favor of that prince. The document which records this remarkable circumstance (C.I. 2691) deserves to be set out in full:—

In the thirty-ninth year of the reign of Artaxerxes, and during the satrapy of Mausolus, a decree of the sovereign assembly of the Mylasians, confirmed by the three tribes: Whereas Araissis, son of Thyssolus, has failed of the duties of his mission and conspired against Mausolus, the benefactor of the city of Mylasa, not to mention his father and their ancestors; and the king having convicted Araissis of his crime, has caused him to be put to death; the assembly decides to proceed in the matter of his estate according to the laws of the country: it declares such estate forfeited to Mausolus, and forbids the proposing or voting upon any amendment opposed to these resolutions. Let whosoever infringes them be annihilated with all his race.

It is not necessary, of course, to assign much weight to the final paragraph: it was probably a legal formula, adopted, like many others, at a time when the weakness of the community required such stringent sanctions for its enactments, and retained in official documents of this class long after it had practically become obsolete.

But the strongest proof of the sanctity with which the person of an ambassador was invested is to be found in the circumstances consequent on the maltreatment by Sparta and Athens of the Persian envoys of Darius. This case is also of importance as suggesting a refutation of the charge advanced by so many modern writers, that the Greeks, even as between

their own cities, were bound by no obligations except such as had been the subject of actual compact. These outrages, probably the result of an outbreak of popular indignation caused by the insolent nature of the demand, were committed upon the envoys of a foreign prince, considered by the Greeks as a barbarian, and outside the pale. But the story of the remorse of the Spartans, as told by Herodotus (vii. 137), shows how thoroughly they recognized the obligation, even as towards the barbarian, the breach of which they regretted so bitterly, and were at such pains to expiate.

According to Herodotus, the wrath of the herald Talthybius, whose shrine was worshipped at Sparta, displayed itself in the continued untowardness of the sacrificial offerings. Thereupon two high-born and wealthy Spartans — Sperthies the son of Aneristus, and Bulis the son of Nikolas — volunteered to make atonement to Xerxes in their own persons for the maltreatment of the Persian heralds. When, on their arrival at Susa, they made known their mission to the king, he declared that he would not place himself on the same level as the Spartans, who had been guilty of confounding ordinances that were universally recognized; that he would not himself do what he censured in them, nor release them from their guilt in the way that they proposed. The wrath of Talthybius was therefore allayed but for a time, and revived during the Peloponnesian War; nor was it entirely appeased until the occurrence of the following event. Aneristus and Nikolas, the sons of the men who had gone to Susa to tender their lives, were sent as envoys to the great king to solicit his alliance for Sparta. Having turned aside for the purpose of seducing Sitalkes from the Athenian alliance, they were by him handed over to the Athenians, and unceremoniously put to death.

These facts related by a contemporary historian so reliable as Herodotus go far to refute statements, such as those of Manning, that "the Greeks had a few customary observances; but their slaying of prisoners, and occasional maltreatment of ambassadors, show them to have had nothing that can properly be called a notion of the law of nations." This, being the only known case of such maltreatment by any leading Greek States — for Alexander of Phœæ can hardly be considered in this light, and the Megarian outrage on the herald Anthemokritus rests on more than doubtful authority — was

probably the ground of that jurist's assertion; but having upon this matter exactly that amount of knowledge which is justly called dangerous, he committed himself to an inference directly contrary to that which the sequel of the story warrants.

I think that I may now fairly claim to have shown that, as far, at any rate, as treaty obligations and ambassadorial privileges are concerned, the contemptuous indifference with which this branch of their subject has been treated by English writers is not warranted by the facts. The usages of war recognized by the peoples of the ancient world, their practice with regard to arbitration and extradition, and the institution called *προξενία*, which is strikingly analogous to our consular system, all point to the same conclusion. The discussion of these subjects must, however, be reserved for a future occasion.

H. BROUGHAM LEECH.

From Blackwood's Magazine.

THE BABY'S GRANDMOTHER.

CHAPTER X.

THE REAL WOUND AND THE APPARENT ONE.

"He smarteth most who hides his smart
And sues for no compassion.

RALEIGH.

CHALLONER had been in the background throughout the evening described in the last chapter, but he was no longer destined to remain so; he was, within a few minutes of leaving the drawing-room, to be brought as prominently before the public as would have satisfied a dozen Whewells.

The ladies were being shawled and hooded in the library, and Lotta was in the act of having her last golosh drawn on, when a noise from without made them all turn their heads, wondering aimlessly, as females do, what was the matter.

There had been the sound of a breakage, a crash and a smash: not a remarkably violent smash; probably a lamp knocked over, or something as bad as that — annoying, but not more; and no particular attention might have been excited, had it not been immediately followed by more than the usual bustle and disturbance.

"I say!"

"By Jove!"

"Are you hurt?"

Then "handkerchief" and "bleeding"

were indistinctly caught, and finally a whole sentence reached their ears, in Robert's voice, but in a voice raised higher and more hurried than its wont, "Stick-ing-plaster! I don't believe she has such a thing in the house."

That was enough; all flocked out to hear and see, and Lady Matilda joined the group from the ante-room. What had happened? Who was hurt?

The questions were answered by a blast of cold air driving in through a broken window of some size, and further, by the sight of Challoner standing before Whewell, who was busily engaged tying a handkerchief above his wrist, and at the same time bending down so close over it, as to show he was endeavoring to discover something, probably the extent of the damage done.

The two were underneath a circle of lamps, and blood was dripping from their hands.

"If I could only see—if I had anything to clear the wound. Water—get some water," cried Whewell; "cold water and a sponge! Look sharp with it!" as the servants hung about uncertainly. "I can't see anything for this infernal blood."

"What do you want to see?" said a voice at his elbow.

"Oh, Lady Matilda! Beg pardon, but can't you get me *something*?" replied Whewell, somewhat taken aback, although appearing to more advantage in his concern and abruptness than in any previous phase. "Can't you get me anything to stop the bleeding? Friar's balsam—that's it; that's the thing I want. Oh, you have not any? Oh, what have you, then? And where is that water?" impatiently looking round. "I sent them for it an hour ago. I could at least bandage the cut, if we could make sure there was no glass sticking in; but I can't see anything for this—Oh, it's here! Here with it, then. Hold the basin under—right under, can't you? See what a devil of a mess you are making! Excuse me, Lady Matilda," in another tone,— "excuse me, but you are in my light. Now then, Challoner, off with your coat! Here, you, help him!"

"No, nonsense!" cried Challoner, resisting the footman's touch. "Thanks all the same, but there is really nothing to make a fuss about."

"Never mind that; off with his coat, I tell you! How the deuce do you suppose I am to get at the place up inside the sleeve? There, that's right. 'Jove, how

it bleeds! But we'll collar it yet," sponging away. "Now, does it hurt? Do you feel anything sharp? Any pricks?"

"Ah!" cried Challoner at the moment.

"I thought so. Yes; and a nice thing it would have been to have tied that in," rejoined Whewell, holding up a narrow strip of glass half an inch long. "D'ye see that? Eh? Why, it's better already. Hold his arm there, will you? Hold it as hard as you can, just above the elbow-joint; feel for the pulse and dig your fingers in. Don't be afraid; dig them in as hard as ever you can. Can anybody give me a good long handkerchief? A silk one would be the best." Teddy was half-way up-stairs ere the words were well out of the speaker's mouth. "I say, bring two," shouted Whewell after him.

"You are very good, but—you make too much of it," said Challoner, with a restive motion that implied dislike to being thus the centre of attraction. "I am sorry I have broken the pane," looking at the shattered glass, which nobody had as yet attempted to clear away; "and every one will take cold," he added.

"Yes, to be sure. I am warm enough; but it is shivery, rather," said Whewell.

"If you will go back to the drawing-room for a few minutes, ladies, we shall soon be ready for you," subjoined he, concealing, if he felt it, a natural reluctance to lose his audience. "I shall manage now; I shall just tie it up till we get back to End-hill, and then no doubt Mrs. Hanwell will furnish me with plasters and balsam. You have them? Yes; that's right. He will do very well till then. It will not take long now, Challoner. Don't catch cold, like a good fellow, for I can't let you move yet. What's this? Brandy? Ah, that's the thing to keep up his fettle! I thought he was growing a little white about the gills."

The patient laughed outright.

"You may laugh—laugh away," proceeded the extempore surgeon, with the end of a handkerchief between his teeth; "but it's all very fine. Drink your brandy, my friend, and be thankful. I should not mind a nip myself, if you would be so good, Lord Overton. Oh, don't go yourself—pray don't go yourself. I would not on any account. What a good fellow he is!" he added, for the benefit of those left.

Only Challoner and the footman were left; every one else had gladly seized the opportunity to beat a retreat from the raw night air, which continued to pour in

through the broken window, since the brown paper, with which it had been proposed to patch it for the night, had not yet appeared — even Robert had retired with the rest into the drawing-room, there to be interrogated and listened to.

"He was pulling down the window. The window was open, and we all felt cold. You kept us waiting so long, Lotta. I do wish, my dear, you could manage to be a little quicker sometimes. What had you to do but put on your cloak —"

"My dear Robert, I was not a minute. But Janet had put my cloak underneath Marion's, and at first we could not distinguish which was which — these fur cloaks are all so much alike: indeed we could not see that there were two; we thought there was only one."

"Oh, never mind — never mind. How your tongue *does* run on, Lotta!" cried Lady Matilda, who never could prevent herself from speaking to her daughter as if she were still at home and unmarried. "Tell me about the accident, Robert. How could he do it? What was there in closing a window to break it all to pieces, and cut Mr. Challoner's hand so badly?"

"It is unfortunately not the hand, but the wrist — just in the worst place, where the large artery is."

"But how did he do it? How did he do it?"

"How did he do it? I do not know, I am sure: I cannot imagine. I was going to draw down the window — at least Lord Overton was going — and I was just going, when Challoner, who was in front of us both, turned round and did it."

"Did it? Did what?"

"Pulled down the frame, and the cord broke; and it came down with a run."

"Oh!"

"He says the frame had stuck, — swelled with the rain, no doubt."

"Oh!"

"It was a pity your having no remedies handy," proceeded Robert, beginning to recollect himself. "If we had been at Endhill —"

"I have two or three kinds of plaster," cried Lotta, with a glance at her mother; "and we have arnica, and several things."

"Give him the arnica when you get home, my dear," observed Lady Matilda drily. "Pour in a good supply. You are a very erudite person, we all know, Lotta. So Mr. Challoner may be safely handed over to your care."

"Arnica is not for an open wound, my love," explained Robert, in a somewhat

short aside. "It is poison, and should never be applied when the skin is broken; but a balsam for stopping bleeding is really, really a thing every one ought to have," continued he more briskly. "You see this case shows —"

"He's all right now," announced Teddy, coming in. "He says it's nothing, and —"

"It was a great thing Whewell being with us," continued Robert, unwilling to lose the ear of the house. "Whewell is certainly a wonderful man. He can do anything he sets his hand to."

"He makes a lot of row about it though."

Teddy's amendment was not uncalled for: even as they stood, there could be heard the dictatorial tones and loud laugh of the now excited and dominant guest; and grateful as they were for knowledge and skill so valuable at such a moment, perhaps no one could have asserted that a little less assumption would not have been more becoming.

However, that was neither here nor there. Whewell had done well, — had manfully rendered services for which praise and thanks were due, and these should certainly be accorded him; while Challoner — Lady Matilda in particular was not quite sure how she must now address Challoner. She must address him somehow, of course; but could she now expect him to care for civility and attention so much overdue? Could she suppose that he was not to see that he had been passed over and neglected throughout the entire evening, or imagine that he would now be thankful for a crumb from her table, flung to him so late, and for such a reason? She could but hope he would not re-enter the drawing-room, and that a passing inquiry and expression of sympathy would be all that she would need to bestow in the hall. She would accompany the others out into the hall to give it, and — but hope was vain: the outsiders were heard approaching even as she pondered.

In they all came, Challoner first.

By common consent he had been ushered to the front, in virtue of his misfortune; and the eagerness, the queries, and condolences with which he was now assailed, vindicated the justice of the sentiment.

Everybody now spoke to Challoner, except the one who should have led the way; and even Matilda had, with an effort and a blush, stepped forward to do her tardy

part, when she caught the anxious stimulative eye of her son-in-law, and the demon within her rose. Robert's look said, "Yes, go, go; now is your time; now you can make up for the past; now you can retrieve your error: be quick, be quick!" And in answer to that "Be quick, be quick!" a rebellious voice within retorted, "I shall do nothing of the kind."

We have said Matilda was a sweet-tempered woman: but there are things that would set up the back of an angel; and if there was one person on earth who was a proficient in saying or looking those things, it was Robert Hanwell.

Perhaps he might not have provoked everybody. His absurdities, his self-complacency, and his unconscious arrogance, would not have caused some good souls more than a faint annoyance, or they might even have derived from them a distinct source of amusement; but with such he must have had nothing to do as a relation, and they must have come but seldom into contact with him. To Matilda he was as a rough collar constantly worn: he could not be shaken off, he could not be thrown aside; he was always there, and he was always making himself felt to be there. Moreover, it is probable that in the presence of his mother-in-law the unfortunate young man showed to his worst — that he set her on, out of a spirit of opposition, to do things which she would not otherwise have done; and that he in turn, fretted and irritated by her levity, made himself yet more ridiculous by his ill-humor than she would have made him by her wit.

On the present occasion the ill-humor was more than ordinarily disastrous. Matilda was vexed with herself, and was really anxious to make honorable amends to Challoner for her former slighting demeanor towards him. Now a finer shade of perception than Robert possessed would have enabled him to see this, and to stand back and let her now aroused and womanly compunctions have their full swing: she would, following the dictates of her own heart, have said all that was kind and gentle; she would have won forgiveness in a moment. But just as she was about to step forward, or rather had actually taken a step or two, and was hesitating for a suitable word to begin with, a pressing and perturbed countenance must needs be thrust forward, and all was lost.

Who was he, that she should do his bidding? "Know your place, sir," was

written in every line of the frown which gathered on her brow, and she turned on her heel — to find Whewell at her side.

"We shall be off immediately now, Lady Matilda. The carriage had been sent round to the stables, but it will be here in a minute. Pray forgive Mr. Challoner: he would never have forgiven himself, I assure you, if he had bled to death in your hall."

"It was not so bad as that, I hope." Lady Matilda responded to the light tone so coldly that the speaker looked surprised.

"You have no doctor near at hand, I am told?" rejoined Whewell, leaving banter alone, as he perceived it to be inappropriate.

"Within two miles — within a mile and a half, I should say. That is pretty well for a country place, I think. We have no great need of doctors in Overton parish. If Mr. Challoner needs a doctor —"

"Oh, not a bit of him; not now, at all events. These bull-dog kind of men can stand anything; and this was merely — Oh, Mrs. Hanwell is going. Good-night, then, Lady Matilda; we shall see you in church to-morrow. And pray remember that you have promised to coach me up in my new duties; I look to you to pull me through. Good-night. Where," looking round — "where is my patient?"

He was behind, awaiting his turn; and he was unsupported, or rather his parting moments were uninjured by Robert. Robert had gone out with the Miss Applebys, who had stayed with the rest, no one knew why, and they were now being escorted to the door by him and Teddy. Lord Overton was, as usual, doing nothing, and visible nowhere. "Mr. Challoner," said Matilda very gently, "I cannot express to you how sorry I am."

She wished she could have said more, wished she could have thought of more to say; but no civility, no condolence, no repentance would furnish her with a single other word at the moment; and before she could make a second attempt, or conjure up any further pretext for detaining him, he was gone. Matilda uneasily followed. What could she do? Was there anything left for her to do? She was cudgelling her brains as she wandered on with a vague idea of being friendly in not being left behind, when anew there seemed to be a stir without, and it was Robert's voice which, as before, was the presager of evil.

"Going to walk to the village, Chal-

loner! To *walk*! What for? I thought I understood——"

Then a murmur of undertones; then Overton's voice—"I can send at once. I should have done so before."

"Why, I'll go." That was Teddy.

Matilda lost not another moment. "What is wrong? What is the matter?" she cried, with a sound almost of terror in her tones: for long years afterwards she remembered that moment, as she had cause to remember it.

"Well, it is hard to say: really I do not know what to advise," replied Whewell, who, with the others, was standing on the doorstep, in front of the brougham, in which Mrs. Hanwell was already seated. "Of course, if Challoner thinks the bleeding is still going on, he ought to have it seen to at once. I am very sorry; I had hoped we had settled it. But certainly Challoner is right to speak out; and as you say we are going away from a doctor—that is, actually in an opposite direction—Is there no way round?" he broke off suddenly; "could we not drive round?"

"I shall walk, and be there in no time," announced Challoner with gruff decision. "Can you give me a latch-key, Hanwell? That is all I want."

"Eight miles at the end of a long day's shooting!" cried the master of Endhill.

"My dear fellow, eight miles; what are eight miles?" And Robert found himself almost pushed into the carriage. "There—it's all right; don't keep Mrs. Hanwell waiting."

"I can't allow it. Certainly you shall not go alone."

"Suppose I go with him," said Whewell faintly.

There were further suggestions and assertions, and at length, "Suppose there are two fools instead of one, and suppose here's a third to bear them company, and I'm he," cried Teddy, in the rear. "What a lark! Just wait till I get my boots on."

"You need not trouble; George is off by this time on the bay mare," said the quiet voice that was always listened to. "And," continued Lord Overton, "Mr. Challoner must be good enough to accept a bed here for to-night; he will be attended to much sooner here than at Endhill, and it will save the doctor, and the doctor's nag, a long journey into the bargain."

When had Overton done it? How had he managed it?

He had not appeared on the scene at all; and although as a host he had been polite, and as a man concerned, he had only so far entered into the spirit of the thing: now all were surprised, and though relief was painted on the faces of Whewell and Hanwell, the discomfiture of the other two gentlemen was obvious. Challoner looked, and could not keep from looking, annoyed, and Teddy refused to stop equipping himself: now that he was started, he must do something and go somewhere, and eagerly burst forth with a dozen plans.

"Do whatever you like," said his brother. "Take a walk in the rain if it pleases you—it will do no one any harm; but Mr. Challoner remains here," laying a detaining hand on Challoner's arm. "All right, coachman! Look you up in the morning, Robert;" and against so wise and comfortable a conclusion no one could protest.

Terrible had been the internal qualm which had been experienced by Whewell as well as by Robert when Challoner's first proposal had been made.

Even the lesser evil of having to drive their patient to the village and back, before again getting into the road for Endhill—a clear two miles, if not three miles, extra—had been appalling; and yet, but for Lord Overton's promptitude, this must have been the end of it. They could not be thankful enough.

"Uncle Overton is so kind and thoughtful, once he really understands about things," observed Lotta. "He does not often bestir himself, but when he does—I am so glad you had not to take that dreadful walk, either of you; I assure you I am."

So were they.

"And where would have been the good?" proceeded the lady astutely; "Mr. Challoner must have gone all the same. It would have been no use for any one of you to have gone without Mr. Challoner; and if he *had* to go, and no one else *had* to go—however, I am glad he had not to go, either: Uncle Overton settled it in much the best way." And in every aching joint and weary muscle, the other two felt that she was answered in the affirmative, and found no flaw in the argument.

"Come and sit down," said Lord Overton, gently pushing his reluctant guest back into the deserted drawing-room once more. "Matilda, don't you sit up unless you like. Challoner—why, Challoner,"

with a sudden cry, "why, it's *pouring*! Good heavens! what shall we do?"

"This," said Matilda.

Her face had paled, but it was not the pallor of inaction; in a second she had with her own hands and Teddy's help torn off Challoner's coat, and sprung upon his arm, feeling for the pulse above the elbow-joint, as before indicated by Whewell, — holding it, when found, with the grip of a wildcat.

"What are you doing?" said Overton, in a low voice. Poor fellow, he was frightened now.

"She is doing me a service," replied Challoner for her; "Lady Matilda is pressing her fingers into the vein to stop the circulation, and if she can only hold on —"

"I can — I shall."

"It is indeed kind;" but the speaker did not proceed. It *was* kind — no one could say it was not kind; but it was annoying and vexatious that he should need such kindness. It was difficult to know what to say, where complaints would have been ungracious, but where too much gratitude would have been absurd. The situation had been forced upon his entertainers: nothing had been voluntary on their part, and this no one could have felt more keenly than the recipient, the Challoner who had sat silent and still, left to himself the whole evening, uncared for and unnoticed. To be sure, Overton had drawn his chair up a few yards off, and Overton had been equally at leisure; but there the good-fellowship for the nonce had ended, while neither Teddy nor Matilda had done for him a thing. To have Teddy now passionately pacing up and down the room on his account! To have Matilda kneeling by his side!

He bit his lip, and quiet man as he was, almost cursed the situation in his heart.

However, there the situation was, and nothing could improve it: and ages indeed it seemed before the sharp, imperative summons of the door-bell announced the welcome arrival — come, indeed, as soon as any reasonable mortals could have expected, and as fast as Dr. Hitchin's horse could go; and all that weary while Matilda knelt bravely on, never changing her position, nor relaxing her hold, but taking no part in the brief dialogues that from time to time were interchanged among the other three, and only now and then drawing unconsciously a long, deep breath, and stealing a furtive glance at the clock.

CHAPTER XL.

CHALLONER IS IMPATIENT TO BE GONE.

"The latent mischief from his heart to tear."
PRIOR.

UNDER the skilful treatment of the village apothecary, a man of high repute in his own sphere, and renowned for many a long-winded diagnosis, Challoner's wound soon assumed a less serious aspect.

But another difficulty now arose. He was ordered to bed — not to bed for the night, as was reasonable enough, and agreeable enough to his inclinations, but to stay in bed until seen and interviewed the next day; and this could only be hearkened to with ridicule and impatient contempt. But what, then, was the dismay of the scoffer, and the delight and importance of our friend Teddy, when the command that had been thus wantonly maltreated when it issued from Dr. Hitchin's lips, had to be obeyed from very stress of adverse circumstances! The next morning found Challoner hot and cold, coughing and shivering, and although still unwilling to own as much, by no means so obdurate as the night before. He would at least lie still for an hour or two: he had — yes, he certainly had taken a little chill; and perhaps, as the day was wet, and nothing could be done out of doors, being Sunday, he might as well submit to be coddled up, so as to be all right on Monday.

But Monday came, and he was by no means all right; throat and chest were sore, his head was aching, and he sneezed in the doctor's face even while making solemn declaration of his innocence. The truth was, that scarcely any living man could have escaped scot-free who had done what Challoner had done: he had stood — and without his coat, be it remembered — full in the icy current let in by the broken window for upwards of twenty minutes, while Whewell attended to his hand and wrist; and he had just come out of a well-warmed room, a rather over-warm room, into which no draught ever by any chance penetrated, and he had lost some blood. He could hardly have been human, and not have caught cold; and this was precisely what he had done.

He had caught cold — nothing more; but nothing more was needed. The cold had attacked both throat and chest, and there was no doubt about it. To get up and take his departure was not to be thought of; he must give in, stop where he was, and play the invalid.

A more reluctant or pugnacious invalid Dr. Hitchin had never before had to deal with.

What! stay on at Overton, and on and on at Overton, and that not for two days or three days, but "till he was better,"—horrible indefinite term!—obtrude himself in a manner so unseemly on strangers, utter strangers, and demand and wrench from them, as it were, their sympathy and their hospitality? Not he. It could not be done. The doctor must understand, once for all, that he, the patient, had got to be made well somehow in another day or so,—well enough, at any rate, to leave the Hall, and no longer trouble people upon whom he had no sort of claim, and to whose house he had merely come to dine by chance.

"Bless my life, surely it was a lucky chance then!" cried the amazed Hitchin in his heart. "One would think these were snug enough quarters for any dainty fellow to be laid up in: everything he can possibly want; fine old place, fine company—a nice, amusing, idle young fellow like Teddy, and the earl is not half so black as he's painted. Ay, and Lady Matilda. And—Lady—Matilda," proceeded the old gentleman slowly. "Ah dear! times are changed with the young folks nowadays. What would I not have given twenty years ago for the chance of being nursed up and looked after by a Lady Matilda! A fine woman, a fine stately beauty of the rare old type—not the trumpy pretty miss, with a turned-up nose and freckles, who passes as a belle in these times. Lady Matilda *never* looks amiss; I have never seen her look amiss, at any rate, and I meet her out and about in all sorts of winds, and in all sorts of old clothes. What would the man have? What does it all mean? I can't enter his room, but he begins with his 'When shall I be up, doctor? Can't I go away to-morrow, doctor?'—plaguing my life out, and running, certainly running a very decided risk, by thus fretting and irritating the mucous membrane into the bargain. What is he up to, that Challoner?" suddenly cried the little sage, knitting his wiry brows; "he is either a deep one and has his own reasons—Aha! Is it Lady Matilda after all, I wonder?"

But he kept a tight hand on the patient all the same.

Now we would not for a moment cast a slur on Hitchin, and it is not to be supposed that in the few remarks we feel called upon to make below, that we infer

he was biased by certain considerations in his view of the case—that he made the worst of the accident, and the most of his opportunity; but it ought to be borne in mind that, as a medical man—as *the* medical man of the neighborhood, the sole physician, accoucheur, surgeon, and apothecary of anywhere about short of Seaburgh itself—he had been hardly used by the Overtons. Lady Matilda was never ill, neither were her brothers. Their rude health and hardihood braved every kind of weather, and laughed at every sort of disease; they were by circumstances placed above the reach of almost every form of infection; they could not be accused, even by their dearest friends, of overtaking their brains; and they did not know what nerves were. His only chance lay in an accident; and so far, accidents had been few and far between.

"Yet," pondered he, "they ride the most dangerous animals going." But then Dr. Hitchin's ideas of a dangerous animal differed from those of Teddy and Matilda.

However, one thing was certain, that scarcely ever since the good doctor had established himself in those parts, had he been called in to attend any one at the Hall; and indeed, on the rare occasions when this privilege had been accorded him, and he and his Bobby had had the felicity of turning in at the avenue gate, it had been invariably on the behoof of a housemaid or kitchen-maid whose ailment did not even necessitate his drawing rein at the front door. Even Lotta had got through her full share of childish complaints before his day, and nothing had remained for him but the dregs of the whooping-cough, which dregs had done him no credit, and given him considerable trouble.

He had not soon been summoned again; and indeed it was now several years since he had even been within the park, farther than to skirt along the high slope above the house, where was a road free to all, and used as a short cut by any one who chose.

All of this being thus explained, and it being also understood that Dr. Hitchin knew tolerably well all the outs and ins of the family, and had, in common with the rest of the little world about, studied their ways and humors for a considerable length of time, the judicious reader will at once be able, according to the charity that in him—or her—lies, to determine how ill Challoner really was.

Very ill he was not, or he would have

been more meek. And he was not meek — not by any means. True, he said but little, and gave utterance to not a syllable of complaint, but his air was restive and disdainful; he received instructions and prescriptions with a smile that was worse than words; and though he did not actually dare to disobey orders, though he put out his tongue when told, and even submitted to the indignity of having a glass tube thrust under it, and having to sit still with the ridiculous thing sticking out of his grave mouth for two full minutes, he did it all with what at least was no enthusiasm, and received the report of his stomach, his pulse, and his temperature as if they had severally belonged to some one else.

Such apathy was almost too much even for the cheerful little doctor; but there was one person whom it suited to a nicety — one member of the household who got on better with Challoner than he had ever done with any mortal in his life before — and that was Lord Overton.

Overton had found a man who could hold his tongue, and yet be happy.

He had at last by good hap hit upon a fellow-creature who would sit as still, smoke as long, and say as little as he did himself; he had at length met with some one who paid him no court, gave him no trouble, put forth no effort for his amusement, no solicitude for his comfort, and who expected, in return for all this forbearance, this priceless moderation, simply nothing. When he had said his "Good morning," and "Hope you're better?" each day, he could sit down just where he liked, in the worst chair and the worst part of the room if he chose, and Challoner would barely turn his head to see where he was or what he was doing. He would pull out his own cigar; he would hunt up his own match, and pass it on, no one resenting his rising and moving to do so; he would poke the fire — Robert Hanwell would have had his hair standing on end had he witnessed the indifference with which Challoner permitted his distinguished companion to handle his own poker and tongs, once he found that Overton liked doing so, — he would sit on and on in peace and comfort, no one thinking it necessary to trouble with talking beyond a "Beastly wet," now and then, varied, perchance, with a "Bad for the farmers," — each of which remarks, if originated by himself, would merely draw from the other an inarticulate civil sound, which was perfectly polite and pleasant, but which most men would have thought

was hardly response sufficient for Lord Overton. Perhaps Challoner would volunteer the "Beastly wet," and Overton would nod the mute assent; perhaps they would both together originate the sentiment; perhaps one would see that the weather was about to improve, and the sky to clear, while the other considered that the rain was setting steadily in; perhaps one would narrate a brief, a very brief experience of country life, farmers shooting, or proprietary grievances; perhaps the other would cap the story with a better, — but however long they bore each other company, and whatever they agreed upon or differed upon, one thing was plain, they were on the best of terms.

Lady Matilda jested about the strange pair who, thus thrown at haphazard together, fitted like a pair of gloves; and my lord's predilection for Mr. Challoner, and the length of time my lord passed in the sick room, made the invalid's beef-tea several degrees stronger and more grateful to the palate than it would have been had Mr. Edward only been there to see.

Nobody told Lord Overton a word of Challoner's impatience to be at liberty — naturally nobody would; and indeed the principal person who could, was the least likely of all to whisper a hint of the kind, since Dr. Hitchin knew better than to breed mischief at any time, especially such mischief as must have been detrimental to his own interests.

Greatly was he pleased with the alliance between the two odd-come-shorts. (It was Matilda who styled them the odd-come-shorts, and who stuck to the term in spite of Teddy's representation that whatever might be said of Overton, it was rough on Challoner to be bracketed with him, without being given a chance of showing what he was or what he could be.)

Lady Matilda openly smiled in the doctor's face when he announced that Lord Overton was excellent company for Mr. Challoner. She was quite willing that he should be, more than willing — charmed, delighted; but it showed her one thing — namely this, that any one who could be thus enamored of her dear excellent elder brother's dumb show of good-fellowship could be of no earthly good to *her*: she must look elsewhere for a kindred spirit.

At length Dr. Hitchin suffered himself to be persuaded into a decree that his patient might be moved into another room, — into the drawing-room, or still better into the sunny little boudoir — Lady Matilda's boudoir — which was on the same floor, and had a southern aspect.

No going up and down stairs at first, no draughts, no chills. "You just go to Lady Matilda's room by-and-by, when the windows are shut, and there is a good fire—that is to say, if her ladyship will be good enough to grant permission," with a little bow and wave of the hand to Teddy, who was supposed to represent his sister at any time she might be apart from him. "Ask Lady Matilda——"

Challoner lifted his head, as though about to speak.

"My compliments to Lady Matilda," proceeded the good doctor, not noticing this, "and will she be charitable enough—eh? is that the phrase, eh?" smiling jovially,—"charitable enough to harbor this poor patient of mine for a few hours in her delightful haven of refuge, eh, sir? Hum, eh? Haven of refuge, eh? You will have drifted into as snug a haven of refuge as ever mariner did if you get taken in there, Mr. Challoner, I can assure you. Ha! ha! ha! Good anchorage for any man. I remember the room well," suddenly resuming a matter-of-fact tone, as the two unresponsive faces before him showed no appreciation of his slyness,—"I remember its aspect, and recommending it for Miss Lotta—Mrs. Hanwell—after her severe attack of whooping-cough. She could not throw off the cough, and I was obliged to keep her almost entirely to her mother's boudoir. It was a charming convalescent home—convalescent home, I called it then, to amuse the little girl—and it appears it must do duty for a convalescent home once more, Mr. Challoner. You will find it most comfortable: ladies always contrive to make a home comfortable; their little odds and ends, work-baskets, and knick-knacks, are all additions in their way. Lady Matilda must find you something to do, my good sir; you are tired of being idle, and that is what makes you fancy yourself so ill——"

"//! I fancy myself ill!"

"Well, yes; you have felt yourself uncommonly ill, no doubt," replied the shameless doctor coolly; "very miserable, and feverish, and low, and that was the cause of your restless desire to get away from the Hall. Oh, I understood it all; you thought you were regularly in for it, and as you did not mean to lie up, you would fain have set off through fog and rain to travel all over the country, until you had developed a thoroughpaced fever. That was what you were up to. Oh, don't tell me—I know, I know; and let me tell you, my friend, that you had your desire

as nearly as ever man had. I would not alarm any one at the time, but it has been a close shave—a very close shave; a little more would have done it—just as much more," turning to Teddy, "as Mr. Challoner wanted to do. Ah, young men, young men!"

"Pooh!" said Challoner; but two things in the last speech softened his contempt. He liked—who does not?—to have it thought he had been ill; also he liked being called a young man.

He was not a very young man—he was just at the age when a man may be young or not; but Dr. Hitchin, who revered muscle and sinew, height and breadth, a deep chest and a long arm, honestly looked his admiration, and could not comprehend the gleam of satisfaction which stole athwart Challoner's brow, where already a dash of grey had mingled with the thick dark locks on the temple.

"Pooh!" said the poor fellow, but he smiled—for almost the first time that day he smiled; something in his own thoughts had pleased him as Hitchin spoke.

"No disrespect to Lord Overton or Mr. Edward here," proceeded the doctor presently; "but you will be glad to vary your society a little. Lady Matilda—(what the mischief is the meaning of this now?) internally. "No sooner do I mention Lady Matilda than my gentleman looks black as thunder at me. Her ladyship been snubbing him, eh? Can that be it, I wonder? And, Mr. Edward, get out a game of chess, or draughts, or something," he continued aloud; "backgammon, eh? or——"

"Penny Nap," cried Teddy joyously.

"Cards? Ah, very good—very good. Anything to amuse the mind. We used to play cribbage in my young days."

"Matilda likes cribbage. I have to play with her; it's awfully slow, for she always beats me," said Teddy, with more interest than he had before displayed in the conversation. "I hate the counting, for she always manages to bag something from me, with all those 'fifteen twos' and rot. How is a fellow to remember that nine and six make fifteen, as well as seven and eight?"

"Are you fond of whist?" It was a great moment for Hitchin. Whist was his strong point, and to make a fourth in a rubber at the Hall, or even to play with a dummy—for Lady Matilda was probably no great hand—would have been—

"No, I hate it," said Teddy flatly.

CHAPTER XII.

TEDDY'S CONFIDENCES.

"Each man has a measure of his own for everything,"
LAVATER.

"For fools will prate; and though they want the wit
To find close faults, yet open blots they hit."
DRYDEN.

HOPE was over in a moment, killed in the birth, or rather it might have been almost said to have been still-born, so few were its flickering seconds of existence. No whist-table in the library at the Hall, No Lord Overton for a partner, no reminiscences of the same on the morrow's rounds — it had been but a passing vision, gone like a flash, and now there was again only the useful Challoner to fall back upon.

"There must not be too much talking, remember," Hitchin sighed, all doctor again. "The bronchial tubes are still tender, and must not be excited. Talking irritates —"

"You need not be afraid of *his* talking," said Teddy bluntly; "he must talk in his sleep if he talks at all. At any rate, he never favors me; Overton is the only person who gets any change out of him, and a little goes a long way with Overton. He ain't particular.

But the hand that fell on Challoner's shoulder was so hearty and kindly, and the charge was so freely and confidently laid, that no one could have taken umbrage at it, and no one did. It was impossible not to like Teddy Lessingham when Teddy was good; and when he was not, why, then Matilda argued it was "only Teddy," only her poor, beautiful, whimsical — she would not for the world have whispered "half-witted" — brother. He was, she would have maintained, perfectly sensible, perfectly rational, perfectly all that he should have been, when he was not vexed or sullen; it was only when thwarted or distressed, when he did not understand, and took things amiss, and was grieved and indignant, that Teddy was irresponsible: it was other people who roused the evil spirit in him; Teddy, let alone, would not have hurt a fly.

And Teddy now quite looked upon himself as Challoner's friend. Overton was all very well, but Overton went for nothing beside two men of the world such as himself and Challoner: it was to him that Challoner must look for everything that could make his enforced stay at the Hall endurable; and accordingly, "Well, now," cried he, as the doctor left the room — "now, you see, there you are! I said you would be all right in a few

days if you would only hold on; and so you *are* all right — right as a trivet; and it is just a week to-day since — since last Saturday. This is Saturday again, you know. I dare say you didn't know, for there was nothing to tell you, unless it was the newspaper, and *that* says Friday, for to-day's has not come yet, though the afternoon post will be here directly. I say, will you go to Matilda's now, or after a bit?"

"Oh, wait a little," said Challoner slowly.

"All right. But I'll tell her that you are coming, and that she is to have a good fire, and all the rest of it: I can just run along now."

"Oh — ah — don't be in a hurry," said Challoner, with an evident wish to detain the steps which had already begun to move to the door.

"Is there not — any other room?" he began hesitatingly.

"Oh, by Jove! when you heard what Hitchin said, and all the dust he raised about it! Oh, I say, that's too bad. There's the billiard-room, of course, but it would be as much as my place is worth — no, no, I never disobey orders; if I did, Matilda would give it me — that she would, I can tell you."

"But — we shall disturb her, shan't we?"

"Not a bit. Disturb Matilda! She is never disturbed. What has she got to be disturbed about? Lotta was the one who used to complain of being 'disturbed.' I am sure I don't know why, no one ever wanted to disturb *her*; she might have been let alone from morning to night, for all the good she was to anybody."

"I am such a nuisance." And something else was added indistinctly.

"Oh, come, I like that," said Teddy. "When I have told you over and over again what a perfect godsend you are to us all, and me particularly! For I never have anybody hardly — I mean any young fellows like myself. I don't know how it is, I am sure," with Teddy's puzzled look, that always made Matilda change the subject, — "I don't know how I don't have more fellows about. I had lots of friends once — I mean I have now, any number; but they don't come here. We don't ask them here; we forget, I suppose. A fellow can't be expected to remember everything, you know," he concluded, with his usual apology.

"No, of course not," said Challoner dreamily. He had been thinking his own thoughts, and they had been of a nature

to make him say "No" or "Yes" at random to any sudden call. He had added "of course not" from mere absence of mind; and as it appeared to suit the requirements of the case, he again relapsed into silence, and his companion again resumed: "Overton is as fond of you as he can be; and we were saying only this morning what a grand thing it was that Robert had not carried you off to Endhill, as he had all but done, and had you ill there. How you would have hated it! Oh, you don't know how you would have hated it!" cried Teddy from his heart. "You would have had nobody but Robert and Whewell. Whewell would not have done much for you. He is a selfish beggar; I can see he is. I don't like him a bit. He made me kneel on the cold bit of pavement, when I had to be godfather—I mean proxy godfather, or whatever it is—at the christening, and he had a nice piece of carpet. It was my carpet by rights, but he edged on to it, and I had to go on to the horrid cold stone. It was just like him: I knew he was that kind of fellow the moment I set eyes upon him. Then he comes here dangling after Matilda!"

"Does he?" said Challoner, and suddenly looked as though expecting more.

"Doesn't he, that's all! Every day this week but one, and to-day,—and he'll be over to-day yet. It's only four now; he'll be here about five. He has been, let me see—he did not come one day; that was Wednesday, and that was because we went there, so that ought not to count; and it is as if he had been every day, every single day, this week."

"But he has only been twice up to see me."

"Very likely—up to see you. The first two times he would not disturb you—not for the world, as the doctor said you were to be quiet,—Hitchin did say so, you know, though I don't believe Whewell knew it; and then Wednesday—that was the 'bye;' and then yesterday and the day before he was up both times. Well, but just fancy what it would have been for you to have been ill at Endhill," he started off on another tack; "just think now. We should have come over to inquire after you, of course,—most likely we should have come over every day, as we have nothing else to do at present,—and of course we, at least I, should have come up and sat up with you a bit; but still it would have been different. And then all the rest of the time you would have had only Robert—only Rob-

ert," in a voice whose cadence spoke volumes. "And there you would have been, and we here,—and we who would have been so thankful of you —"

"It is really—you are too good," said Challoner, with a sudden movement. "Go on," he added, in rather a low voice. "What were you saying?"

"I am sure I don't know. Oh, how glad we are you are here! We should have been fit to hang ourselves these five dripping days if it hadn't been for you; for though we get on as well as most people in the wet—we don't mind it much, you know—still it is nasty to get rained through and through every day, and never to meet anybody out but ourselves," said Teddy, lucidly if ungrammatically. "Matilda is the worst off; but then, if she likes Whewell, she is welcome to him. All the same," he added, after a few minutes' reflection, "I do think she has had enough of him by this time. She cut out at the back door like anything when she caught sight of him coming up the avenue yesterday; and that was how you had so much of his company: by the way, he was hanging on till she came in, and she never came. It was rather a joke, that."

"He has no business to come over bothering us," he broke out presently. "We don't want him; he is not *our* friend; he did not come on *our* invitation —"

"Neither did I," said Challoner, with rather a bitter smile.

"You! Oh! Oh, that's too bad of you!" cried poor Teddy, reddening in his anxiety to retrieve so obvious an error. "Well, anyway you *are* our friend now,—at least if you will be friends with us," he addeed, in his best and nicest manner. "People don't seem to care much to be friends with Overton and me," oblivious of the numbers he had just before boasted; "they don't take to us much, I am afraid. But we are not so bad at all when you get to know us. At least, I am not so bad," said Teddy, very simply. "Overton," with warmth,—"Overton is as good a fellow as ever lived; and so is Matilda."

"She is—what?"

"Never mind; don't catch one up, I say. I only meant to tell you that you need not be afraid of her. People are afraid of her, you know; they say she is spiteful, and that. It is the greatest lie. There's no spitefulness in her; she only lets her tongue run on a bit. Overton and I are always telling her of it; but we can't help laughing, she does take people off so jolly well sometimes. She means

no harm: she is awfully good to you when she likes you. She can't like everybody; she is too clever to like everybody—that's the worst of her; and there are people, you know— She says Robert sets her teeth on edge," he broke off suddenly.

Challoner laughed.

"Ah, but it's true," proceeded the naughty boy, quite aware that he was telling tales; "he is such a fool, he never knows when he is in a hole, and goes on and on till she can't stand more. Then she lets out on him; how can she help it? It is his fault; he ought to keep out of her way."

"But he cannot always keep out of her way."

"Oh yes, he could. Why not? Nobody wants him."

"That may be, but still —"

"Oh, I know what you mean: it is what she says herself; she has got to put up with him for Lotta's sake. Women are so soft, you know. You would not think Matilda was soft like that, but she is. It is queer, but she does not mind Lotta half so much as Robert. Now I think there is six to one and half-a-dozen to the other. Lotta is as like all the Wilmots as she can be; they have all those flat faces and sleepy eyes. You would never dream she was Matilda's daughter, would you? Matilda is like *us*," said Teddy, looking very handsome and conscious.

"She is."

"You see it?"

"Like you? Yes."

"But not like Overton?"

"Not in the least like Lord Overton."

"I wonder what you think of Matilda," said Teddy, after a pause, and several wistful glances. "I am afraid she behaved very badly to you the other night. I am sure I don't know—that is to say—you see, it was all a bit of temper," proceeded he, in the humor to be chatty and confidential, for the hour was seductive, the sick-room warm and bright, the day without dark and dismal, and moreover, he had just come in from a long wet ride, had changed his things, and got comfortable again; and with his armchair on one side of the fireplace, and Challoner's on the other, to be cosy and communicative seemed quite the right thing.

"It was only Matilda's way of showing fight because Robert gave himself airs. Of course it was not fair; but then women never do fight fair, and there's no driving the notion into their heads. When Matilda wants to serve Robert out somehow,

she don't care a hang how; and so, because Robert looked daggers at her for not taking more notice of you before—oh, you know what I mean," a little uneasy, now that he got so far, and no helping hand was held out to draw him to land, as was sure to be the case if Matilda were by and saw him in difficulties. "You know well enough my sister was stiff, and cold, and—and infernally disagreeable to you, both at Endhill and when you dined here; at any rate here. At Endhill, of course, she had nothing to do with you; but then, of course, she should have had, and she would have had too, if she had chosen. But it was the night you all came over, that she was the worst. I was quite ashamed; it seemed so inhospitable altogether. And how were you to know? It was not meant for *you* at all; it would have been the same whoever had come—I mean she would have been the same to any friend of Robert's—that's to say—well, of course, there was Whewell," he murmured, and his voice fell.

"I have nothing to complain of, I am sure," replied Challoner, with the courtesy of a Grandison, but with something also of the coldness. "Lady Matilda has surely a right to choose whom she will honor by her —"

"Oh, fiddlesticks! Honor! There was no honor about it. Whewell got her ear, and so she let him talk on; and if Robert had taken no notice, she would have been as sick of him then as she is now, but Robert's putting in his oar just did all the mischief. When Robert tries to force Matilda to do a thing—no matter whether she wants to do it or not—it is just as if she had put out her two fore-feet like our donkey mare, and she'd stand still till Christmas before she'd budge a step."

"Your sister"—said Challoner, and then stopped. He had not relaxed a line in his face, nor made as though he heard the simile so little flattering and so truly fraternal. "Your sister"—he said; then began again—"I owe Lady Matilda a great debt of gratitude for her kindness and patience the other night. Probably she did me a valuable service, and I am sure it was neither an easy nor an agreeable one."

"Oh—ah—yes. Yes, of course. I had forgotten Matilda held your arm. But any one could have done that. However, she meant it for civility, no doubt; and that just shows how right I was about it all. Robert and Lotta had gone home by that time, you see. They had taken

themselves off before we went back to the drawing-room; and so, when there was no one there to see, and your hand was bad again, Matilda was glad enough to be of use. Oh, I know she was: she is awfully good if people are ill, or hurt, or anything; but she wouldn't have touched you with a hot poker if Robert had been by—I can tell you that, Challenger."

Again Challoner laughed aloud: he began to find Teddy Lessingham downright amusing.

CHAPTER XIII.

WHEWELL ENCROACHES.

"They that are rich in words must needs discover
They are but poor in that which makes a lover."
RALEIGH.

WITHOUT any suspicion of the base revelations that were thus being made within a few feet of her own door, Matilda sat awaiting her brother's return from the sick-room, whither she had seen him turn in an hour before, and from which he seemed in no hurry to emerge.

Matilda was not in her usual spirits.

She was a little uneasy, a little anxious and remorseful, and in consequence just a little cross. Whewell had been rather much for her. She had laid her little hands upon him—had laid them for a moment; had meant to trifle away a sunny hour, and no more,—and he had seized the moment in grim earnest, and expected the hour to expand into a lifetime. He had encroached; he had—yes, he certainly had shown desire for more than had ever been intended, more than he would ever get. If he could only have been content to have taken the welcome accorded him as he ought to have taken it—to have enjoyed Lord Overton's hospitality, shot his pheasants, admired his sister, and then respectfully made his bow, and taken himself off,—how much better it would have been! But here he was still, and every day lessened his charms.

He would not remain at Endhill, although it was to Endhill alone he had been first invited. Endhill now found no favor in his eyes: he would appear and reappear at Overton; morning, noon, and night at Overton—one excuse or other serving his turn as it offered; but always expecting to be met with open arms, to be made much of, entertained, asked and pressed to stay on,—and never, as it seemed, for an instant suspecting that it would have been better to stay away.

Lady Matilda's own sitting-room had

not been safe from his intrusion since she had imprudently laid its existence bare to him on the first occasion of his looking in for an afternoon call. He had not begun to lose caste then, and she had little dreamed how soon he would do so, even when he had vowed, with delighted eyes, that he would know the way back thither. Too speedily had he made use of his knowledge: the very next afternoon had seen him tapping at the door; and such precipitation had even then made her vexed with herself, while she had repented more and more when Monday's and Tuesday's visits had been followed by Thursday's and Friday's, and Wednesday had only been a "bye" because the brother and sister had been at Endhill.

Now Matilda would not have had any one know it for the world, but the real reason of their going to Endhill—the real object which had taken them thither—had been to put a stop to Whewell's notion that he was to be at Overton every day of the week.

He had been known to be going shooting, and to be going shooting near the Hall, quite close up to the house, in fact; and as such an arrangement infallibly meant that he must be asked, or ought to be asked in, or that he would come in without asking, Matilda, quick as thought, had taken occasion when the plans were being made, and when Whewell himself was standing at her elbow, to send a message to her daughter through Robert, the only other person present, to the effect that she would ride over to the cottage in the course of the afternoon. She had even done more—she had added, somewhat emphatically, a playful codicil, announcing that her visit was to her grandson, and that she therefore hoped the grandson would be visible, and would be glad to see his dear grandmother. Alas! some one else had been also visible, and very glad to see the dear grandmother. Whewell had noted the riders pass, and had left his sport on the instant to fly at the higher game; and this from a sportsman was enough: he could not more effectually have shown his hand.

He had meant to show it: it had seemed to him time to show it; for the bold barrister had done more than merely fall in love with Lady Matilda, enough as that might have seemed for a four days' acquaintance,—he had fully made up his mind to become her suitor—and more, her husband. He had thought it all over; the birth and the jointure, as well as the beauty and the wit; and this was the re-

sult: he felt himself to be a lucky man — a very lucky man.

It would have been well for him to have looked into his luck a little more closely: it would have saved him much disappointment, a little pain, and a lifelong bitterness, — and it would have saved Lotta a week's heavy house-books. For, with so fair a prize to win, and so much depending on the use he made of his present opportunity, it was not to be expected that Whewell should be in a hurry to go, even though the entreaties of host and hostess waned in urgency, and though the courses at dinner were perceptibly curtailed as the week went by.

What cared he for courses, his head running on Matilda? He wanted nothing of Endhill, nothing but bare house-room — and not even that, would Lord Overton only have been a little less obtuse. Had he had his will, he would have been at one place, one all-engrossing place, from morning till night; and, indeed, so confident was he that it only needed a few decisive strokes to carry the day, that he could scarcely understand how it came about that no chance of giving these seemed forthcoming. He thought the Overton brothers needed a jog on the elbow; and accordingly one afternoon, when matters were thus at a standstill, he made his way over early, but not too early — not early enough to be put off with luncheon by the innocent Teddy, nor to place in an awkward predicament his sister. By arriving shortly after four on an ungenial day, he could spin out the time till a hope that he would stop dinner should drop out naturally; then a messenger could fetch his portmanteau in a trice, and all would be happily arranged. If Lord Overton or any one else should suggest, "Take a bed here," very well; there would be no need for saying no. He had been prepared for anything, would agree to everything, and confidently hoped the best.

But the visit went on, and there was no word about sending for the portmanteau, and at length he was fain to jump up, watch in hand, and be amazed at the lateness of the hour, and vow he must fly like the wind to be in time for Mrs. Hanwell's very, unfortunately, primitive dinner-hour. He declared he had forgotten dinner altogether. Did Lady Matilda think he could possibly walk over in three-quarters of an hour, and would her daughter be terribly severe were he a little late? He was really terrified, he would not stop a single second longer.

LIVING AGE. VOL. XLV. 2299

"I'll see you back in my T-cart," announced Teddy, with a very fair show of obligingness, considering that he was inwardly raging against his sovereign lady, who had bound him over to do so sorely against his will, and, as he had told her, against his conscience also, "For you know the lies I shall have to tell if I do," he had said; "and it's too bad of you to make me tell lies when there's no need for them." But she had been inexorable: he was to drive Mr. Whewell back, and it was all nonsense about the lies; he was simply to *do* it — there was no lie in that; whether he liked doing it or not, was his own affair.

The argument had not closed when Whewell himself had appeared on the scene, and he now interposed eagerly, for he thought he saw daylight somewhere: "No, really; I could not think of your troubling yourself."

"Oh, no trouble; I should enjoy it of all things," said Teddy, with a look of dreadful exultation at his sister. "There is nothing I like more than a drive in the wet." Another look. "And hark to the rain now! It's pouring cats and dogs!"

Here Whewell stole a glance at Matilda also. "Oh, if you *like* it," he responded dolefully; "there is no accounting for tastes. But I confess I am not a fish or a duck. However, it is my own fault for not being off sooner. I —"

"No hurry. I'll tool you over in twenty minutes or so. The T-cart, Charles," to the footman. "Tell them to look sharp. I let them know it would be wanted some little time ago." Then, in answer to a warning expression on his sister's brow, "I should have gone out any way, Whewell," he concluded, thus in his own mind serving Matilda right. She had now made him tell three lies, if not four, and he had thus shown her that he was the one who knew best, and that the thing could not have been done without.

But even with the ordering of the T-cart, and the bustle of getting ready for it, had come no opening to Whewell for a quiet word with his hostess. Teddy had not been allowed to leave the room even to put on his coat and get his gloves and hat, without showing the visitor out first; and even in pressing the lady's hand as his adieux were being made, he had been unable to convey any sentiments, since she had chosen the moment, the very moment, when his fingers touched hers, to give directions about posting a letter. Her "Good-bye" to him, and her "Don't for-

get" to her brother, had been spoken in a breath.

Then Friday's attempt had been still more of a failure. Lady Matilda had not only been out, but had remained out, and he had not seen her at all; and although he could not, of course, be sure that it had been done on purpose to avoid him, and though he had refused to feel hurt and annoyed, or to take the matter as having any serious aspect, yet he had been unable to forget that he had distinctly promised he would himself bring over from Endhill some expected documents for Challoner, and had named the time at which he would appear. On Friday night he had begun to think that he should not have quite so easy a path to tread as he had at first anticipated.

Lady Matilda, on her part, hoped that she had shown the man his place.

She had desired to do it gently. She still liked Whewell, and liked to be liked by him; and would he now go, would he only vanish from the scene while there was still peace and good-will between them, and while no words had passed which could cause regret or unpleasantness in the future, he should be at once reinstated in her good graces, and all presumption should be condoned and forgotten. Oh, if he would only go; if anything she could say or do would make him understand; if Robert would but exert himself to shake off his friend; if Overton, of his own accord and without being prompted, would but withhold the shooting! Oh, if they would but see, tiresome, ignorant stupidities that they were! They had not an eye among them.

All this she said to herself twenty times a day, and she had no one else to say it to. No one helped her, no one comforted her; and accordingly it was with a somewhat sombre brow, and a little droop at the corners of her mouth, that Lady Matilda sat in her little room, deserted even by her faithful Teddy, ruefully wondering what was to happen next — whether she must actually quarrel with Whewell, — and, to pry still more closely into the secrets of her foolish heart, it must be owned that there lurked down in its depths all a woman's unquenchable desire to stand well with a lover to the last, — whether she must throw him off in the end, and say, "Mr. Whewell," in the most awe-administering tones she could muster, or whether —

The door opened, and she started to her feet, with difficulty suppressing a cry.

It was only Challoner, and the parted lips melted into a smile.

Only Challoner! And who and what was he? It mattered little what he was: he was not Whewell, and that was enough.

The relief was such, that the warmest of welcomes was scarcely warm enough to the speaker's mind. She could almost have kissed the rough hand she held, in gratitude for its owner's being merely himself and no one else. With him, all at once, she felt she had no fault to find: he stood before her in his integrity, and nothing could be laid to his charge; no languishing gleam from his eye had ever had to be avoided — no forward, too forward movement to be repressed; with him she was safe — on him she could still dare to shine. It was a dangerous rebound.

And undoubtedly it caused surprise in the minds of the ignorant pair. Teddy, indeed, had had his own ideas as to the reception his friend was likely to meet with, and he had looked deprecatingly into Matilda's face, and had hidden behind Challoner's broad back as the door opened; while Challoner himself, if the truth were told, hung his head like a child, and slouched like a criminal. By common consent both had stolen along the passage without opening their lips, and they had striven to turn the door-handle noiselessly and advance inoffensively, and then — what was this? Instead of being met by majesty in arms, an angel beamed forgiveness!

It was not an angel that whispered in Jem Challoner's ear at that moment.

From The Gentleman's Magazine.
GREENSTEAD CHURCH.

ABOUT twenty miles out of London, and less than an hour's ride from Liverpool Street, on the Great Eastern Railway, is the most curious church in England; and were it situated elsewhere, or rather, were it not so near to this great metropolis, which is so vast that its inhabitants find sufficient within it to interest them, it would be a centre of attraction in whatever county it was, and pilgrims, archaeological and otherwise, would flock to it from all parts. But because it is so near London, and close to the much-frequented Forest, the vast majority of Londoners know nothing of it.

Suppose, however, the reader mentally accompanies the writer (to whom this little

church is an object of the deepest reverence) on a visit to the little village — no, it is not even a village — of Greenstead, near Chipping Ongar, in Essex; a place so small that the "Post Office Directory" only names *seven* people, and its whole population is but some one hundred and twenty.

The railway journey, after passing Leytonstone, is all too short, passing through a beautifully varied country, delightfully wooded, and quite hilly enough to dispel the average Londoner's hallucination that Essex is a flat country. Far too soon does the train stop at its terminus, Ongar; and we set off at once on our visit to Greenstead. A turning on the right hand, half-way between the station and Ongar church, brings us to a stretch of springy turf — with a noble avenue of trees, and this leads direct to Greenstead Hall — by the side of which is the little church.

Probably the first feeling would be one of disappointment; a common, and very little, village church, with a wooden tower and shingle spire; a nearer approach elicits a remark that evidently the chancel is a later addition, and coming still closer, one is forced to exclaim: "How singular! the nave is made of split trunks of trees!" Precisely so, and it is about these trees that a tale can be told. That little chantry chapel *stood there, and was composed of those self-same logs*, when, in the year A.D. 1013, it sheltered for a night the bones of Saint Edmund, king and martyr.

Illuminated MSS. of Saxon times have made us familiar with similar, and larger, buildings of logs thatched, and there are a number of actual existing remains of timber work, but these remains are mostly only accessory to the buildings, or concealed by rubble, and cannot pretend to vie in antiquity with this wonderful specimen. Not to go into the matter deeply, but simply to show that in Saxon times wood was a material much used, we find that Edwin the king, in 627, was baptized in a wooden church, where now stands the glorious York Minster. The first church at Lindisfarne was made in 652, of sawn oak, and thatched. There was a church at Durlinge, in Somersetshire, according to William of Malmesbury, made of wood; and the Abbey of Croyland was made of wood and boards, neatly joined together. In a charter to Malmesbury Abbey, King Edgar says "that he would restore the sacred monasteries, which, by being composed of rotten shingles and worm-eaten boards, divine service was

neglected in them." Small wonder then that, with the materials all round and ready to hand, split logs should have formed the fabric of this little chantry chapel, which could only have been served by one priest, and he probably an anchorite or ankeret, whose footsteps never went beyond the threshold of that building within which he had vowed to live and die; and a reason for this suggestion will be given further on.

Even had it no historical associations, such a relic of undoubted antiquity would commend itself specially to our regard, would be treated with great reverence and jealously conserved; but identified as it is with the memory of Edmund, it becomes singularly precious.

To thoroughly understand and enjoy this little church, let us go back to the times when it was built, and as Lydgate may be as accurate an historian as any one else, in this matter where so much is fable, we will make occasional use of that wonderfully beautiful MS. life of St. Edmund, which Lydgate presented to Henry VI. and which is one of the gems of the British Museum.

St. Edmund was the son of Alkmund, a distinguished Saxon king, and his queen Siware, and he was born at Nuremburgh in the year 841. Previous to his birth, his father went a pilgrimage to Rome, and whilst at his devotions a celestial light appeared on his breast. This was interpreted to mean that he should have a son whose fame should fill the world. Of his childhood nothing is known, until the arrival of Offa, king of East Anglia, on a visit to Alkmund, to whom he was related. Offa was childless, and the young Edmund won his heart, and when the king was dying on his return from a pilgrimage to the Holy Land, he called his nobles together, resigned his royal signet to them, and recommended Edmund as his successor.

Offa being buried, the nobles hastened to Saxony, where Alkmund convened his nobility, and it was settled that the boy should go to England to fill the dead king's throne. He was nearing the land (Hunstanton in Norfolk), when

Through goddis might, whan thei the lond han
hauht,
This holi Edmond, of hool affection,
ffro ther arryvaile, almost a bowe drauht,
He ful devouth, gan to knele down,
And preied god first in his orison
That his comyng were to him acceptable,
And to all the land useful and profitable;
And in tokne that god herde his praier

Upon the soil, sondy, hard, and drie,
Ther sprong bi myracle fyve * wellis clier;
That been of vertu, helthe, and remedie
Ageyn ful many straunge malladie;
Thus list the lord, of his eternal myght,
firist at his londing, magnefie his knight.

For some reason or other, the lad did not at once assume the government, but spent the following year in retirement at Attleborough in Norfolk, where, instead of his counsellors making him acquainted with the laws, customs, and manners of the people he had come to govern, they allowed him to spend his time in committing the whole of the Psalter to memory. At last, according to Asser, "the most glorious King Edmund began his reign the 25th Dec., A.D. 855, and was crowned and anointed king of East Anglia by Humbert Bishop of Hulm, on the following Christmas-day, A.D. 856, having then completed the fifteenth year of his age."

The sort of education he had received would naturally unfit him for the troublesome times in which he lived, and although we hear plenty about his personal piety, we hear of nothing he did for the welfare of his people. How he became enbroiled with the Danes, history says not — probably because such a "niddering" was fair game, but Lydgate tells the generally received legend, of how the celebrated Norseman, Ragnar Lodbrok, whilst hawking on the seashore, saw his pet hawk fall into the sea — how he jumped into a boat to rescue it, but was driven away from his own land, and finally cast on shore at Norfolk, where, with his hawk (which in spite of all he had retained) he was presented to Edmund, who hospitably received him, and gave him as a companion, owing to his love of field sports, his own falconer Bern — and from this dates his downfall.

Probably Bern was not wicked at all at once, although the poet says —

So serpentyn was the violence
Which of this Bern sette the herte afire,
Of fals malys, moordre to conspire.

Indeed, it was but jealousy that goaded him to commit crime: —

Cause was ther noon, sauf that Lothbrok
Was more curous, and gracious onto game
Than was this hunte, and mo beesties took,
In such practise had a getterre name.

Upon a day togeder out thei wente
Unto a wode sum game for to fynde,
And whil Lothbrocus no maner malis mente,

* Galfridus says twelve.

This false Bern fil on him behynde,
And cowardly, the story maketh mynde,
Slough him right ther in his furious teene,
And after hid him among the bussches greene.

Lodbrok never came home that day, nor
the day after, nor the next, and

The kyng enquired ech man where he was,
And in this while, reunyng a great paas,
In kam his grehound, and fawne gan the kyng
fil down to forn him, ful pitously whynyng.

The dog came three days running, for food, and continued this strange conduct, until on the fourth day he was followed, and Lodbrok's body was found. Like the famous "dog of Montargis," the hound pointed out the murderer, and Bern was condemned to be put adrift to sea, in the very boat that bore the ill-fated Dane to England. A proper elaboration of the plot necessitates this boat drifting back to Denmark, and so it did; and the Danes, who knew the old viking craft, eagerly asked after their king — and brought Bern before Hinguar and Ubba, the dead king's sons: —

This cursid Bern, envyous and right fals,
And of complexion verray Saturnyne,
Worthi to been enhangid bi the hals,
Or to be rakkid with a broken chine,
With face pale, and tonge serpentyne,
Reported hath in his malencolie
How King Edmund slough Lothbrok of envye.

Probably intense indignation prevented their inquiring into the truth of this story; at all events they acted as if they considered it true, and the two sons, conducted by Bern, and accompanied by an army of twenty thousand men, set sail for East Anglia.

That they came in 865 is a matter of history; and, during the next five years, Edmund had several encounters with the Danes, with varying success, and at one time he actually drove them out of his kingdom. It was then that he unfurled his famous banner of three gold crowns on a blue ("colour ynde") ground, the meaning of which (although some take it as the arms of East Anglia) Lydgate gives as follows: —

This other Standard feeld stable off colour
ynde,

In which off gold been notable crownys thre;
The firste tokne in cronycle men may fynde
Granted to hym for royal dignyte,
And the second for virgynyte;
ffor martirdom the thrydde in his suffryng
To these annexyd, ffeyth, hope, and charyte,
In tokne he was martyr, mayde, and kyng.

At length in 869, the Danes came south

from Yorkshire, and plundered and burnt all the rich eastern monasteries, murdering their inmates; and in 870, Hingwar took possession of Thetford, then Edmund's capital, and a battle was fought there, which lasted the whole day, and then the victory was undecided. But, shortly after the battle, Ubba joined his brother with ten thousand fresh troops, and Hingwar sent an ambassador to Edmund, requiring his submission. His prime counsellor bishop, Humbert, advised compliance, and pointed out

By dissymyling ye may yourself submytte
Sithe the kyngdom shal to you be reserved,
And that your lif may be fro deth conserved,
Your silff submytting ye may dissymyle and
feyne
ffor a time til god list bet ordeyne.

"But blissid Edmond was not born to feyne. Yt longid not onto his roial blood" — and he would not listen to the bishop; he was prepared to die for, and with, his people, and he sent back an extremely heroic, but very ill-advised message, and fled to Eglesdene — now called Hoxne. The Danes pursued and captured him, and Hingwar, incensed at his conduct, commanded him

ffirst to be bete with shorte battis rounde,
His body brosid with many mortal wounde.

The cursid Danys of newe cruelte
This martyr took most gracious and benigne,
Of hasty rancour, bownde him to a tre
As for ther marke to shute at, and ther signe,
And in this wise, ageyn him thei maligne
Made him with arwis* of ther malis most
wikke,
Rassemble an yrchon† fulfilled with spynys
thikke.

This mene while whan Hingwar did him se,
And sauh his body steyned al in red,
He maade his knyhtis reende him fro the tre,
And comanded to smytyn of his hed;
But the holy martir of oo they took first heed
Required a space to maken his praier,
And most devoutly saide as ye shal heer.

At the end of his somewhat long prayer, his head was severed from his body, and the chronicler goes on to say: —

Danys of despit the body ther forsook,
A glorious tresour of gret worthynesse,
But of the martyr the holy hed they took,
And bar it forth of froward cursidnesse
In ta covert shrowded with thyknesse
Of thornys sharpe, the story maketh mynde,
And then they hid it that no man shulde it
fynde.

* Arrows.
† A hedgehog.

Of course, the death of such a saint could not fail to be marked by a miracle of some kind, and one was duly forthcoming; for our Saviour

Knowing that he deied for his sake,
Suffred a wolf his holy hed to take,
And to conserve it ageyn assautis alle,
That foul nor beeste sholde upon it falle.

His nobles and servants hearing of his fate, went and recovered his body, but were many days before they found the head — and then another miracle was necessary: —

Wyth weyping terys, with vois most lamentable,
So as they souhte, walkyng her and ther,
Wher artow* lord, our kyng most agreable,
Wher artow Edmond, shew vs thyn hevenly
cher.

The hed answerde thryes, her, her, her,
And never cesid of al that longe day
So for to crye tyl they kam wher he lay.

This hevenly noise gan ther hertis lyhte,
And them releve of al ther hevynesse,
Namly whan they hadde of the hed a syhte,
Kept by a wolff forgetting his woodnesse; †
Al this considered they meekly gan him dresse,
To thanke our lorde knelyng on the pleyn,
ffor the gret myracle which that they have seyn.

But this was not the only miracle shown on the occasion, for the power that could tame the savagery of a wolf could do yet stranger things.

The folkys dide ther bysy diligence
This holy tresour, this relik sovereyne,
To take it upp with dew reverence,
And bar it forth tyl they did atteyne
Vnto the body and of thy eke tweyne
Togidre set, god by myracle anon
Enjoynd hem, that they were maade bothe
oon.

Off ther departyng ther was nothing seene
Atwen the body and this blissid hed,
ffor they togidre fastyned were so cleene,
Except only who sotylly took heed,
A space appered, breede of a purple threed,
Which god list shewe tokne of his suffrance,
To putte his passion more in remembrance.

It now only remains to tell about the extremely well-behaved wolf, and the history would be sadly incomplete without recording what became of it. It quietly accompanied the corpse until it was entombed,

And meekly after to woode went ageyn
Most doolfully, and was never after seyn.

His martyrdom took place on Novem-

* Art thou.
† Wildness.

ber 20, A.D. 870, in the fifteenth year of his reign, and the twenty-ninth of his age. Probably on account of the disturbed state of the country, his body was buried in a little out-of-the-way chapel, most likely a counterpart of Greenstead, at Hoxne in Suffolk, and there it remained for about thirty-three years, when rumors were spread abroad that some blind men had been restored to sight, and other miracles had been wrought, at the tomb of the martyr king. So his ignoble resting-place would no longer do, and a large wooden church was erected at *Betrichesworth* or *Beodricsworth*, now called St. Edmond's Bury, for the reception of the royal corpse. On its exhumation, it is said to have been in perfect preservation, with the head united to it, and only a red mark round the throat to mark its decapitation. Nor only so; a devout woman, named Oswyn, averred that she had long lived near the saint's place of burial, and for several years had tended the corpse, yearly cutting its hair and paring its nails, which holy relics she religiously preserved.

So in A.D. 903 the body was transferred to its more stately resting-place at Bury, and there it remained, to the great profit of its keepers, until the year 1010, when Turkil the Dane, having harried the whole of East Anglia, burnt and plundered Bury. The custodian of the royal corpse, Egelwin or Ailwin, afterwards Bishop of Elmham, conveyed it to London, and deposited it, as some say, in Christ Church, or, as others say, in St. Gregory's near St. Paul's, and, as it passed through Cripplegate, the lame recovered the use of their limbs, which fact all must believe who put their faith in Stow as a truth-telling historian. In London, however, it remained for three years, and it was, in the year 1013, reconveyed to its home at Bury, passing through Old Ford, Abridge, Stapleford (when it was hospitably received by the lord of the manor, who, in return, was miraculously cured of an illness from which he was then suffering), GREENSTEAD, Dunmow, and Clare.

Dugdale in his "Monasticon," quotes a manuscript entitled "Registrum Cænobii Sancti Edmundi." "Idem apud Aungre hospitabatur, ubi in ejus memoria lignea capella permanet usque hodie." "Also he was sheltered near Ongar, where a wooden chapel, in memory of him, remains to this day." Some might imagine from this that this chapel might have been

built afterwards, but a moment's consideration will at once dispel this idea; for, should that have been the case, undoubtedly it would have been dedicated to the miracle-working saint, and then probably would have become a place of pilgrimage for having sheltered so illustrious a person; whereas it is dedicated to Saint Andrew; and being already in existence and of a most unpretending character, it has remained, luckily for us, unnoticed, and now stands, a veritable monument of Saxon times, and an unique example of a really old Anglo-Saxon church. That it was there when the corpse was brought that way, and that it was not hurriedly built as some have imagined, is evidenced by the fact that the logs are carefully grooved and tongued, and fastened into sills; whereas, if it had only been a rough shelter for the night, the chapel would have been built of split logs, sharpened and driven into the ground, whilst these are worked with great care, are not absolutely half-trunks, but have had a slice of the heart taken out, probably to form the roof and sills — and the inner, or flat, sides of the oaken or chestnut slabs (for authorities are divided as to the nature of the wood) have been carefully roughened, as if with an adze, in order to retain the plaster.

This little chantry, then, was intended to be permanent, and its dimensions have never varied; its length is 29 ft. 9 in.; width, 14 ft., and the walls were 5 ft. 6 in. high. It had a high-pitched roof, and was probably thatched with rushes; the east end was taken down when the chancel was added, probably early in the sixteenth century. The original beams remain. The west end was of logs of wood, and was complete, with exception of a doorway for admission into the tower, in 1748, as an engraving in "Vetusta Monumenta" shows. A portion still remains, the rest has been improved away; but the north and south sides are almost as they were originally. On the south side there are seventeen original slabs, and on the north there are twenty-one original slabs, the places of two others being filled up by modern substitutes, as the method of construction employed entirely prevented the possibility of replacing one of the timbers without lifting the roof-plate. This is a strong proof of its antiquity; for, when it was taken down in 1848 to repair the ravages of that destructive beetle the *Ptinus pectinicornis*, both plate and sill were clearly shown never to have been touched since they were first

* Abbo Floriacensis says: "Per maximam miro ligneo tabulata ecclesiam."

put together. Owing to that wretched little beetle, about 12 in. had to be cut off the end of each log, and a wall in brick-work raised a corresponding height. This, however regrettable, was absolutely necessary, or what we now have would not have been ours much longer, and, indeed, the restoration of the church has been most judicious.

On the north-west side of the chapel is an opening cut in one of the logs, an ankret's window, or leper's window, as it was sometimes called. These curious windows are not uncommon, but they are generally on the *south-west* side of the chancel. However, there are examples of their being on the *north-west* side, and this is one of them. These little side windows are always low down, and generally have bars and shutters, but there could have been nothing to tempt thieves in this little chantry, and it is furnished with neither. One of the reasons of their existence undoubtedly was, that the reclus or ankret dwelling therein might speak and be spoken to after public service time, when the doors were shut. People were fond of asking the ghostly advice of the ankret and even confessed to him, as Richard the Second, before going to meet Wat Tyler in Smithfield, went to church at Westminster Abbey, "after which he spake with the anchore, to whom hee confessed himselfe."

But these little windows had another use. We know that in England leprosy was a fearful plague, and lepers could on no account be allowed to mingle with the general population. Shunned everywhere, and naturally prohibited from worshipping God in company with their fellow-men, these little windows were made the means of enabling them to see, or at all events to hear, mass being performed, and through them the Holy Communion could be administered to the poor diseased outcast. And that this part of the world was no freer than the rest from this fearful scourge, is evidenced by the fact that at Brentwood, a very few miles off, there was a hospital for lepers, and the estate now is known by the name of "The Spital."

The window, as far as one can judge, must have been the ankret's sole means of light, and no one ever seems to have dreamed of desecrating these sacred logs by cutting windows in them, light having been given, when the roof was tiled, by means of dormers. Its interior is very plain, and necessarily so low-ceiled that a tall clergyman cannot stand upright in the

little pulpit, and it has no brasses nor any monuments worth particular attention. On one of the beams is carved a rude representation of the three crowns and the wolf watching the saint's head; but this was done at its restoration. At Hoxne Church there was a poppy-head of wolves' paws supporting a crown; and at Hoxne also was a wonderful old oak, the very tree, according to tradition, to which the martyred king was bound, and known by the name of St. Edmund's Oak. It was 20 ft. in circumference, and the branches spread over a width of 84 ft. On September 11, 1848, whilst the sides of Greenstead Church were lying on the ground undergoing repair, this great oak fell, to the great grief of the surrounding inhabitants. A suggestion was made that the trunk should be examined, and an old arrow-head was found deeply imbedded in the solid wood. The annual rings on this tree showed it to be upwards of one thousand years old.

Apart from its matchless old nave, there is nothing of interest in or about the church or churchyard. Nicely tended, everything denotes the model parish. Its registers date back to 1558, and it is a rectory which, on every vacancy, is offered to a curate of St. Botolph, Aldgate, having been so left in the middle of the last century by a vicar of that church named Pratt, who purchased the living of Greenstead.

JOHN ASHTON.

From Temple Bar.

MARSHAL BERWICK.

MARSHAL BERWICK fills an honorable place in a military history of eventful changes. In her warlike, as in her general annals, France has proved either extreme of fortune; and she has risen to the topmost heights of glory, to fall low in the depths of abasement. At two epochs her victorious armies were the terror and admiration of Europe; and four times at least she defeated or baffled a coalition of powerful States apparently irresistible in their united strength. Yet Rocroy and Landen were followed by Blenheim; men who exulted over Denain and Fontenoy lived to mourn over Rosbach and Minden; the sun of Austerlitz was eclipsed at Waterloo; more than one veteran of Auerstadt and Jena has shed tears over the ruin of Sedan; and the flag which, in the first years of the century, waved in triumph over the subdued Continent, has

been recently torn down from Metz and Strasbourg, in the agony of a conquered people, whose military supremacy had been long recognized.

Marshal Berwick was a distinguished soldier in what may be called the first period of the ascendancy and the reverses of France in war, that part of the reign of Louis XIV. which begins with the well-known league of Augsburg, and terminates at the peace of Utrecht. If not entitled to rank among the masters of war of that splendid era, he had some of the qualities of a great captain; it was his fortune to win the first battle, which marked a turn in the tide of the disasters of France, with lasting results of immense importance; and if the campaigns conducted by him do not bear the stamp of transcendent genius, they are examples of prudence, of skill, and of judgment. He was eminent, too, in the war of sieges, a remarkable feature of that period; and if not loved as a leader of men, as Condé, Villars, and even Vendôme were loved, he inspired confidence and commanded respect; and he was an administrator of no ordinary resource, solicitous as to the wants of his troops, and, in a special manner, chary of their blood. If his character, moreover, was in the main that of a soldier of fortune of high degree, cold, stern, calculating, with few scruples, and with little sympathy outside the camp, it is to his credit that, in a revolutionary age, he steadily adhered to the side he chose; and his reputation is wholly free from the dark charges which will ever tarnish the fame of his great kinsman, Marlborough. We avail ourselves of the volumes before us* to notice the career of this eminent man, an Englishman, and of an English nature, though unhappily, through life, a foe of England. Colonel Wilson's book can scarcely be called a military work of the highest order; his narratives of campaigns want breadth and clearness, and are overloaded with tedious details; and his criticisms are somewhat indistinct and timid. Nevertheless, taken as a whole, this is an excellent study of Berwick and his age; it abounds in valuable information and research, though the author has borrowed too much from the pages of Henri Martin; and it is fluently and agreeably written, apart from the fault of repeated quotations of poetry, brought in rather in schoolboy fashion. We entirely

agree with the leading idea of Colonel Wilson throughout these pages, that the art of war has been as finely illustrated in the mighty deeds of the illustrious dead as in those of the living chiefs of armies — it is doubtful, indeed, if a greater commander than Hannibal has been ever seen, and Napoleon's wonderful campaign of Italy is the grandest passage of modern war — and we believe with him that, at the present time, the moral forces that decide battles, the ability of leaders and the energy of troops, are scarcely held in sufficient account.

Berwick was born in 1670, a son of James II. by Arabella Churchill, the plain-faced sister of a brilliant youth who was to develop into the great Duke of Marlborough. To conceal probably his mother's shame, the child was sent to France soon after his birth; and he was carefully brought up at Jesuit schools, a training which, spite of many defects, has been that of many a distinguished soldier. While still in his teens he passed into the hands of one of the best military teachers of the day; and soon afterwards he was sent to Vienna, with some youthful scions of the noblesse of France, to behold war in its stern realities. The menacing tide of Ottoman conquest, which had lately surged round the Austrian capital, was now receding to the lower Danube; and Christendom, for a moment at peace with itself, had despatched volunteers from many lands, to take part, with the Imperial armies, in a crusade against the still dreaded infidels. Berwick witnessed the terrible siege of Buda, and the overwhelming defeat of Mohacz; and he gave such promise of valor and skill, that he attracted the notice of Charles of Lorraine and was given honorary rank in the Austrian service. He was ere long, however, summoned to England, the crown, on the death of Charles II., having devolved on his ill-fated parent, at this moment in full enjoyment of the popularity he was soon to forfeit. James II. seems to have loved the youth with an affection rare in that heartless age; he gave him a regiment of household troops, the lieutenancy of Hampshire, and the command of Portsmouth; and he raised him to the highest place in the peerage, with the title which he was to render famous. All went well, for a time, with the stripling duke; but it is significant of the state of opinion, that the sturdy Protestant squires of Hampshire soon became jealous of their "Popish" lord; and the hand of Berwick was scornfully refused by a daughter of

* (1) James II. and the Duke of Berwick. (2) The Duke of Berwick, Marshal of France, by C. T. Wilson, Lieut.-Colonel. London: 1876, 83.

the great Whig house of Cavendish. At the outbreak of the Revolution of 1688, it is to the honor of Berwick that he remained true to his father when the unhappy king was abandoned by his legitimate offspring, and found foes in his own household; he had no part in the treason of Churchill or in the double dealing of Mary and Anne; and he shared the fortunes and perils of James, accompanying him in his flight from Rochester. He was once more at his father's side when the dethroned monarch endeavored to regain his kingdom by a descent on Ireland, and when, with woeful results in history, that unhappy island became a centre of a conflict which was dividing Europe. Berwick played a not undistinguished part in the fierce and relentless strife that ensued, though it cannot be said that he gave proof of the peculiar powers of the future commander. Throughout the contest he was chiefly noted for feats of daring and prowess in the field; his heroism at the Boyne was conspicuous as a leader of the brave Irish cavalry; and he showed much skill in the partisan warfare which raged fitfully throughout the whole country. But at Limerick, on the one occasion when he had something like a real command, he is said to have been careless and even timid, the reason, doubtless, being that he had no confidence in the resistance of rude levies of peasants, and that, like almost all professional soldiers, he undervalued the force of patriotism in despair.

Before the war in Ireland had come to an end, Berwick was transferred to another theatre less distasteful to a young chief of promise. The power of France, under Louis XIV., had been increasing for nearly forty years; it had wrested provinces from Germany and Spain; more than once it had threatened Holland with ruin; it had controlled the policy of England abroad; and, sustained as it was by immense armies, and fleets that seemed destined to rule the seas, it was a standing menace to European freedom. This ascendancy, indeed, if not so complete as that of Napoleon after Tilsit, was, in reality, more to be feared; and yet it had been endured by the awed Continent, which, divided in itself, and with conflicting interests, had made no united effort to throw off the yoke. The Revolution, however, of 1688, which had made William of Orange supreme in England, had given an opportunity to the one statesman of high rank in the councils of Europe,

who most hated the domination of France; and through the influence of that great ruler, the league of nations and States was formed, which, after the lapse of nearly thirty years, was to humiliate the pride of Louis XIV., and to set permanent bounds to French ambition. The Grand Alliance had set its forces in motion in 1689-90; and France had to confront the onset of armies directed against her borders, from the Thames to the Po, and from the Rhine to the Tagus. At first, however, and indeed for years, the coalition had but little success against the strength of the single State; and William III., its chief leader in the field, it must be confessed, was no match for the trained and experienced generals of France, men of the great school of Turenne and Condé, though in tenacity and energy he surpassed them all. Berwick, by this time, with a general's rank, was given a command in the Low Countries; and, under Luxemburg, he took an active part in the brilliant campaigns of that able chief from 1690 to 1694. He witnessed the celebrated siege of Mons, and was just too late for that of Namur; and he distinguished himself on the field of Steinkirk, one of those defeats which have made William famous, for it indicated the resource and the indefatigable zeal, which, as in the case of Blücher in another age, sometimes more than atone for the faults of the strategist. On the day of Landen, one of the few great victories of which France can boast in her wars with England, he was made prisoner in a furious charge; and he was thus unable to share in the onset of the French cavalry, which decided the battle, as they bore down on the retreating foes held together to the last by their heroic leader. This experience of war, on a grand scale, assuredly was not lost on Berwick; his "Memoirs" show that he fully understood the general operations of these campaigns; yet the generalship of Luxemburg was of a type quite different from that which was to win him a name; and he perhaps owed but little to that daring chief. It should be added that Berwick beheld one of the great disasters of France in this war; he was a spectator of the catastrophe of La Hogue, one of those terrible defeats which was to show how brief was to be the rule of Louis XIV. on the seas.

During the years that followed the Peace of Ryswick, Berwick was employed in diplomatic missions, for which he seems to have had a special aptitude. Before

the war closed, he had, indeed, been engaged in planning an insurrection in England; but the charge has certainly no foundation that he took part in Jacobite plots against the life of William III. He witnessed the death of his dethroned parent; was selected to head the band of exiles who proclaimed "King James III." at St. Germain; and thenceforward became the most confidential friend of Mary of Modena, though she once disliked him with the dislike of a wife for the son of a concubine. The beginning of the war of the Spanish succession found him still only with a general's rank; but he acquired before long a marshal's bâton, a promotion to which he was well entitled, as his military abilities became manifest. We have no space even to trace the outline of the mighty contest which shook Europe from 1701 to 1715, and which was surpassed only by the gigantic strife of the French Revolution and first empire. The Grand Alliance fashioned by William III. held together after the death of its author; and though Italy and Germany were in part divided, almost the whole of Europe was banded together against France and her domineering master. For a time the contest seemed not unequal; the jealousies and opposed interests of the Allies greatly impaired their power; and more than once France seemed on the verge of success that probably would have broken up the League. By degrees, however, the superior strength of the coalition, more ably directed than ever had been the case before, began to tell with decisive effects; one great victory saved Germany; another set the Low Countries free; a succession of efforts at last broke through the barriers of the French frontier; and though France struggled heroically to the last, and even plucked safety from the depths of peril, she was a defeated power after the Peace of Utrecht, and for a century ceased to give law to Europe. It is more to our purpose to glance at the state of the art of war at this stirring epoch, and of the armed masses of men which may be called its instruments. War still bore traces of the feudal age; campaigns in winter were almost unknown; and as communications were still few and difficult, as fortresses were extremely numerous, and as the resources of countries were still scanty, it was impossible to make the decisive marches, and to strike the rapid and overwhelming blows which have been witnessed in the present century. Neverthe-

less, if invasions like those of 1814, 1815, and 1870 were not yet within the power of man, great operations in the field were possible; and if a single siege sometimes cost a campaign, the march of Marlborough from the Meuse to the Danube, and Villars's plan of assailing Austria were combinations of the highest order. As regards armies, they were comparatively small; but they were large enough to task to the utmost the best powers of their ablest chiefs; for it is doubtful, indeed, if a single commander can properly direct the immense multitudes which stand arrayed in the battles of this day. For the rest, the organization and weapons of armies were still imperfect, cumbrous, and weak; but as this inferiority prevailed in all, capacity in administration and skill in tactics were relatively as valuable then as now; and, indeed, the ascendancy still retained by cavalry made energy, resource, and promptness in command, perhaps even more important than they are in our time.

The most conspicuous figure in this great contest was certainly the renowned Marlborough; and it may be doubted if a more perfect general has ever appeared on the stage of history. He possessed, in an extraordinary degree, penetration, insight, and quick decision; and he was thus enabled, with unerring judgment, to seize advantages on the field of battle which caused victory to attend his standards. No one has surpassed him in the art of seeing the weak points in an enemy's line, and in strengthening the positions held by himself; and he had the steady purpose and the calm, firm will which turned this knowledge to the best account. His two greatest triumphs, Blenheim and Ramillies, were due largely to these peculiar gifts; in the first he perceived that the point of junction between the armies of Tallard and Marsin was the spot upon which to collect his efforts; in the second he saw that the French left was paralyzed through its false position, and that he could strike the right with overpowering force; and his admirable plans of attack were carried out with a vigor and power that were all his own. He was, in a word, a consummate tactician; nor was he inferior, perhaps, as a strategist. The backward state, indeed, of the military art, and his dependence on jealous and timid allies, prevented him from carrying out projects of the highest order in the annals of war; and he probably had not the transcendent

faculties which characterize the great moves of Napoleon. The operations, however, that led to Blenheim were admirable specimens of combination; and Marlborough's daring plan of invading France, neglecting or masking the frontier fortresses, was far in advance of the ideas of his age, and anticipated the Napoleonic strategy. We do not undervalue Eugene of Savoy; he was an excellent commander on the field of battle, as his great victory of Turin proves; and his campaigns on the Adige and the Po show that he had a fine intelligence and a strong, bold character. In our judgment, however, the only chief who approached Marlborough, in this memorable strife, was the high-souled and most able Villars, one of the grandest soldiers of the French monarchy. Villars, doubtless, had not the astonishing skill in manoeuvre of his far-famed rival; he was out-generalled more than once by Marlborough; and the Englishman forced the celebrated lines, which the Frenchman boasted were "*his ne plus ultra*." Nevertheless Villars was a great captain; he was alike daring, and prompt in action, and yet singularly prudent and wise in judgment; his tenacity and vigor have been seldom equalled; and no general has possessed in a higher degree the faculty of playing a losing game, of bidding defiance to adverse fortune, of animating troops with his own heroic spirit. As a strategist, too, he is in the foremost rank; his project of invading Austria was that of Napoleon in 1805-9; and his stubborn defence of the French frontier, against the victorious troops of Marlborough, with ultimate and surprising success, if not faultless, was able in the extreme. Denain, moreover, was, in its way, as decisive as any battle in the war; and if Villars fell back from the field of Malplaquet — the grandest perhaps of defensive actions — his defeat was worth many triumphs for France, for it really dissolved the alliance against her, and saved the monarchy of Louis XIV.

Berwick was not the equal of these famous men in genius, resource, and deeds of daring. He was, however, a very able chief; and he possessed, though in an inferior degree, some of the special gifts of his great kinsman. He had not Marlborough's *coup d'ail* on the field; at least he had few occasions to display this quality; but, time and thought being accorded to him, he had much of Marlborough's singular power of discovering the vulnerable points of a foe. This was

conspicuously seen in two sieges, in which he showed skill of a high order, and gave proof of decision of character, more valuable in the case of generals than mental accomplishments, however splendid. In 1705 Berwick sat down before Nice, then a fortress of extraordinary strength; and he had received all but positive commands from Versailles to direct the attack in a way prescribed by Vauban, the greatest of French engineers. Yet after reconnoitring the place with care, Berwick satisfied himself that the plan was a bad one; and he planted his batteries against a front wholly different from that which had been pointed out, with ultimate and triumphant success. If we recollect how immense was the authority of Vauban in cases of sieges, this was a very remarkable feat, especially considering that, at this period, the marshal was only in his thirty-fifth year. The same great qualities were also shown in the memorable siege of Barcelona, one of those astonishing instances of the defence of fortresses which abound in the military records of Spain. This last refuge of Catalan freedom was assailed by Berwick in 1714; and he selected what has been since admitted to have been the most favorable point of attack, in this case, too, overruling engineers, who, however, seem to have been inferior men. Breaches having been made in two bastions, a desperate assault was made and repulsed; and the engineers "following mere routine," had "nothing to propose" but "renewed efforts," which, in the existing state of the place and the garrison, would have probably ended in fruitless butcheries. Berwick, however, "having well weighed the matter," and perhaps recollecting old days at Limerick, resolved to delay the assault until the broken ramparts would permit troops to pour in, in a mass, with resistless force, and though murmurs arose from young lieutenants, his sagacity and prudence met a just reward, for the place fell, though after a fearful contest. Berwick's skill in battle was, nevertheless, seen most evidently on the field of Almanza, one of the most important actions of the war; and in this instance he scarcely fell short of Marlborough in readiness and decided judgment. In this battle — among other things remarkable for this, that the English army was commanded by a Huguenot refugee and that of France by an English exile — Ruvigny had committed a twofold mistake; his left had a ravine in its immedi-

ate rear, and his infantry and cavalry were so intermixed that neither arm could act with proper effect. Seizing the opportunity, Berwick directed a tremendous charge against the allied left and drove it, in slaughter, across the ravine, and then, turning fiercely against the uncovered centre, he shattered it with one of those great attacks of horsemen which, in that age, were so often decisive, the enemy, though stubbornly fighting to the last, being paralyzed through its vicious formation. The defeat ruined the cause of the Allies in Spain; and the credit is fairly due to Berwick, though it has been said that the last great charge — like that of Kellermann at Marengo — was the inspiration of a skilful lieutenant.

Berwick was thus a really great tactician, taking the word in its most comprehensive sense. He had other qualities of a general, too, which entitle him to rank high among soldiers. As an administrator he was very efficient; severe, methodical, and strict in discipline, he contrived that the armies under his orders should be better equipped and provided than those of his more brilliant comrades; and while the troops of Vendôme and Villars starved, his own were usually ready for the field. In this excellence he resembled Wellington; and there was this additional point of resemblance, that he was extremely careful of the lives of his men, yet was esteemed rather than loved in the camp, in this respect being the exact opposite of generals like Villars, and, above all, Napoleon. What, however, determines the real place of a leader of armies, in the annals of war, is his capacity for large operations in the field; his ability, in a word, as a strategist; and tried by this test Berwick, too, stands high, though he did not attain the highest rank. Here, again, we see a likeness to Wellington; his skill as a strategist lay in defence, though he was capable of a fine offensive; and it is remarkable that one who, in early youth, was conspicuous only as a dashing swordsman, became, under the responsibilities of command, one of those prudent, wary, and sagacious chiefs who succeed rather by wearing out an enemy, than by striking him down with well-directed blows. We can only glance at Berwick's career in the great war of the Spanish succession. Colonel Wilson suggests that one cause of the comparative want of success of Marlborough in the second of his campaigns in Flanders, was that Berwick was in the camp of the

French, and may have counselled Villeroi and Boufflers; but this rests on conjecture only, and the real reason, we suspect, was that the great Englishman, not having yet made his absolute superiority in war manifest, was completely trammelled by the Dutch deputies. Berwick shows badly, compared with Marlborough, in the campaign of Oudenarde and Lille, but this was because he could not act in concert with such a man as Vendôme; and possibly his illustrious kinsman would have been foiled as he advanced to the Scheldt, had Berwick's advice to attack been followed. The campaign of Berwick on the Portuguese frontier, if not brilliant, shows much forethought; and his operations after the fall of Madrid are admirable alike for skill and judgment. The reputation, however, of this able chief rests principally on his memorable defence of the south-east of France in 1709-12. We must refer our readers to Colonel Wilson, to explain how Berwick drew his well-planned lines from the mouths of the Var to the heads of the Rhone; how skilfully he closed the Alpine passes, taking care however to have means of exit, and so placing his troops on the theatre as always to hold the chord of the arc; and how, stationed behind this barrier, he baffled for years the efforts of Daun, and ultimately compelled his foes to retreat. For a long period this scheme of defence was deemed a model of the military art, and a perfect specimen of mountain warfare; and, regard being had to the existing state of communications and of the power of armies, it may be said to have been admirable in the extreme. Now, indeed, it would be of little use and obsolete, when this and other sub-alpine districts can be traversed with comparative ease, and when armies have acquired a "mobility" and force they did not possess in the days of Berwick; but it does not follow that it was not of the very highest merit at its peculiar time.

It is unnecessary to dwell on the career of Berwick after the end of the war of the Spanish succession. Honors had fallen largely on the successful warrior. He had been made a grandee of Spain; and he had received the ducal title of Fitz-James, with a fitting appanage, from Louis XIV. During the years that followed the Peace of Utrecht he held several high commands in France, in which he maintained order and upheld authority with the severity of a soldier of fortune, not in sympathy with the wants of the people;

and when governor of the province of Guienne he became an intimate friend of Montesquieu, then the young president of the Parliament of Bordeaux, who has written an enthusiastic eulogy of him. Throughout this period he was a leading spirit of the little Jacobite court of St. Germain, but he disapproved of the rising of 1715; the officer trained in regular war no doubt despising the Highland clans, and rating them as low as the Irish *kerne* whom he had seen in 1690-91. Berwick, of course, often appeared at Versailles; but the sober-minded and solid Englishman kept aloof from the orgies of the regency and the frivolous life of the new generation; he was not in accord with the licentious tastes, the refined scepticism, the delicate vice of the *Paris salons* of that corrupt age. He lived much with his wife and children, *en province*, on his estate of Fitz-James, preferring the quiet ways of a country gentleman to the glittering scenes of the noisy capital; and in this, as in other respects, an Englishman. In the brief war caused by the ambition and daring policy of Alberoni, Berwick led a French army to invade Spain; the victor of Almanza thus drawing his sword against a sovereign whom he all but restored to his throne. For this conduct he has been severely blamed; yet his first duty was surely to France; and for the rest he had acquired the character of an exile, reared under foreign standards, and caring for little beyond the ideas of the camp. The end of this distinguished soldier, like his life, may be pronounced fortunate. At the beginning of the war of the Polish succession, Berwick was given the chief command on the Rhine; and having sat down to besiege Philipsburg, he was killed by a cannon ball in the trenches, while examining the works with his wonted care. His illustrious comrade in arms, Villars, died almost exactly at the same time, having, as he said, "spent his last fire" in the campaign of 1734 in Italy, and—for Saxe and Lowendal were not Frenchmen—being the last great general of native origin who gave glory to the arms of the Bourbon monarchy. More than a generation was to pass away before Frenchmen of the calibre of Berwick and Villars were to be seen again in the armies of France; and they were then to appear in the despised ranks of the plebeian soldiery, whose unhonored lives had been wasted on many disastrous fields, by the Soubises and Clermonts of Louis XV.

From Good Cheer.

A MAIDEN FAIR.

BY CHARLES GIBBON.

CHAPTER VI

A WILD NIGHT.

ALTHOUGH the afternoon had brightened into summer, the evening changed to winter. Slowly the sky darkened as the sun set in a misty glory behind the hills, and clouds gathered. The restless wind, which had only abated during the day, again rose, at first in a low monotone moving the clouds slowly along, but by-and-by it came sweeping up the Firth in great gusts and singing a wild duet with the heaving waters, whilst the clouds hurried hither and thither with increasing rapidity, and the moon could only occasionally send a silver gleam through the darkness.

"It'll be a gey blaw the-nicht," said the fisher-folk, to whom every sound and sign of wind, water, and clouds had its meaning.

"I doubt if they'll win out," they said again, with anxious looks at the angry sky.

They referred to the fishing fleet which nightly started on its perilous adventures. But there was no *fear* in the manner of regarding the gathering storm; only calm recognition of an ordinary fact in their dark lives, with possibly some sense of inconvenience and loss due to the present state of the elements. The weather-indicator, in the little square fronting one side of the harbor—placed there with the kindest intentions by some benevolent person—was rarely consulted. By most it was looked upon as a sort of curious toy. "Just the weather-box," said some, as if tempest and calm were locked up in it. They looked to nature herself for guidance in their calling, and seldom thought when they "went out" that they might never come back; a blessed condition of the mind which enables us to do our duty in the teeth of danger.

Women as well as men take their lives in the same way; never a thought of what may come: and only a short, sharp cry in the heart with an outwardly dumb sorrow when the worst befalls. Then to work again; not a boat or a man the less goes out to sea; not a woman the less ready to do her work on shore. The life goes on just as if nothing had happened, whether it be a single smack or a fleet that founders. There are more mouths to fill and

therefore more work to do. There is no time for outward wailing.

What goes on within — God knows.

In the parlor of Anchor Cottage the captain was comfortably smoking his pipe and drinking toddy; seated in a big, high-backed armchair, a cheery fire burning at his feet. Annie at the table was busy with accounts which she was anxious to dispose of before going to bed.

The wind made a loud moaning round the walls, but never a window or door shook, everything had been made so truly firm. This was a house built to stand and not to sell.

Neither father nor daughter paid any heed to the storm. He was busy with his pipe and his toddy, delighting himself in watching her silent diligence in work.

So they had been occupied for some time. Then he showed symptoms of restlessness, and at length he spoke.

"Will you be soon done, Annie? I want to speak to you."

It happened that she had a very clear notion of what he wished to speak to her about, and also that she did not wish to hear it. So she answered, —

"It will take me a long while yet, father; maybe, till bedtime."

She proceeded with renewed energy to examine books and papers and to calculate figures, and he remained silent, respecting her task and valuing its results.

By-and-by he became restless again.

"Are ye no nearly done yet?" he inquired impatiently.

"I'll make some stupid blunder if you keep on speaking, father."

"Then stop afore you make the blunder, because I maun speak to you about a matter that has been rumblin' in my inside a' this afternoon."

Thus commanded she knew that no further evasion of the disagreeable subject was possible without getting her father into one of his passions — and they were frequent enough and furious enough to make her willing to sacrifice her own comfort in any way to avoid one of them. She laid down her pen, turned her chair towards the fire and said quietly, —

"Now, father, what is your will?"

He took the pipe from his mouth, carefully examined its contents, then pressed them down with his finger; next took a big gulp at his toddy, and finally replacing the pipe between his teeth said, in a sort of shy way, —

"I wanted to speir at ye something."

"What is it, father?" she replied ten-

derly, although much tempted to laugh at his droll behavior.

He felt that incipient laugh, and something of the fun of the position touched himself, for he grinned as he said, —

"Just this, my lass; would ye like to be maerrit?"

"That would depend upon the man, father," she answered, with a merry laugh.

"Hoots, lassie," he said, with a comical mixture of irritability and sense of humor in his voice and manner, "ye dinna mean to tell me that ye are gaun to think about the man when it's his siller that concerns ye."

Annie became serious; looked in the fire as if studying some grave problem which was exhibited to her there. Presently, without looking up, she spoke, —

"I am wondering, father, if my mother thought o' the man or the siller most when she took you."

That was almost a cruel stroke, although the girl did not know it. When Duncan Murray wedded her mother he had obtained with her a tocher which had helped him considerably in his fight with fortune. So the burly little man moved uneasily in his chair, his ruddy face became ruddier, and he took some more toddy.

"That's no the question, Annie. I hae nae intention o' forcing your will in the matter; but I just want to talk it ower wi' you in a sensible sort o' way. Ye see you should think o' both the man and his siller, for there are mony lads that would be glad to take you from me, no for yoursel', but for what you would bring wi' you. Sae it behoves us to consider."

Annie was still staring into the fire; but now she was also listening to the wind sough, soughing round the house and making strange noises in the chimney. Maybe, too, she was listening to a voice she had heard that day at the gate and thinking of its meaning, whilst hearing the echo in her own breast.

"I thought you said that you would never part with me and the 'Mermaid,' father."

The voice was so soft and the look she turned upon him so gentle that he could not be angry. Nevertheless, he tried to appear as one injured, because he felt so keenly that he deserved the reproach expressed so quietly.

"I am no to part wi' either o' you. I was just putting a question to you, and there was nae harm in that."

"Oh no."

"Weel, the lang and the short o' it is this: there's a man came to me the-day

—I'm no gaun to tell you wha." (She smiled: as if she did not know who! Poor old father!) "And he says that if you will take him and I will gie my consent he'll gie you a' your ain way and make ower to you at once a fortune. I said to him, 'You maun speir at hersel', my man.' He said he would, and he's gaun to do it, and I first wanted to ken aforehand what you would be likely to say. But you are free to do as you like."

"You mean Mr. Cargill, father."

"Eh!—hoo did you ken that?" exclaimed the old captain, forgetting in his amazement even to smoke.

"Easily enough; he was the only man here to-day except——"

"Weel?" (There was a curious glimmer of a smile on the old man's face as he put the question required by her pause.)

"Except Mr. Ross, and he cannot do what you say the other offers to do. But I am afraid that Mr. Cargill is not the man for me, with all his wealth and your consent."

"Oh, then you mean that you'll hae somebody else without my consent."

She got up, took the empty pipe from his hand and proceeded to fill it with an experienced hand. As she gave it back to him with a light,—

"We'll no talk any more havers to-night, father. You ken well enough that I will never take a man that you say no to; and I will never take one that I say no to, though you should say yes. Now that's all settled."

"Ay, ay, and it's that way, is't," muttered the captain to himself, but quite loud enough for her to hear. "It's that way, is't? We maun see aboot that. We maun see aboot that. An empty purse against a weel-filled one—we maun see aboot that."

Annie was a little fidgety as his loudly expressed reflections proceeded, and was glad when they were interrupted by a loud ring at the bell of the entrance-door.

"Wha can that be at this hour? Hope there's naething wrang wi' the 'Mermaid.'"

"Kirsty will soon tell us," said Annie, arranging her papers for the night.

"Maister Cargill," said Kirsty, the stout serving-woman, opening the door for the big lymphatic form to enter.

"I hope you will excuse me for dropping in upon you so late," he said, in what he thought was a grand manner; "I intended to be here four hours ago, but was unexpectedly detained in the town. Sorry

now I did not come straight along from the old place; but was obliged to make a call first, and the business occupied me much longer than I expected."

"Never heed that, sit doon—and get a glass, Annie. Oh, but you like wine and seegaars. Very weel; though I never meddle wi' thae things mysel' I hae some wine that was gi'en me in a present that folk wha ken say there's nae better in Edinbro'. Ay, and I hae seegaars to match. Get them out, Annie."

Annie obeyed quickly, and then excusing herself as she was required elsewhere left the room.

The wine was good and the "seegaars" were good, as the captain had said, and Cargill evinced his appreciation of both.

"And noo," said the captain when they were settled down, "how did you come out on sic a night?"

"Oh, the night is not so bad in a close cab with a good horse and a careful driver."

"And is the man waiting for you?" cried the captain, his eyes starting, "and you never thought of seeking a dram for him!"

"I do not like to encourage tippling in people of his class," coolly answered the loutish sybarite, as he sipped his wine and smoked his cigar.

There was a movement on the captain's lips as if he repressed some words which were no doubt of a very emphatic character. He rang the bell fiercely and called loudly for Kirsty whilst he filled a glass with whiskey.

"Hey, take this to the cabman to keep him warm while he's waiting."

"He has jist cam' for a light tae his lamp and's at the door," replied the woman; "puir man, he's sair drookit."

Then the captain walked about to regain his temper. Cargill had not moved during the whole of these proceedings. He smoked and drank placidly as if they had nothing to do with him, and if these good people chose to concern themselves with a mere cabman who would receive his full fare and something over, that was their business.

The driver stood shivering at the door, the fierce gusts of wind threatening to tear the coat from his back, whilst the horse stood shivering at the gate.

"Thank ye, mem; I wish the puir beast could hae a dram tae on sic a night. Here's your very good health," said the man as he gratefully accepted the captain's hospitality.

The captain sat down again and resumed the conversation.

"And now," he said, "what has brought you here at this hour?"

"Two things, sir," rejoined Cargill slowly, or lazily, but did not proceed.

"And what may thae twa things be?"

There was again that curious movement on the captain's lips which had first appeared when he learned that there was a poor man out in the cold for whom his employer had not the least consideration.

"The first thing, captain — and it could have waited till to-morrow — is to tell you that all the conditions I mentioned will be faithfully carried out. My mother is delighted with the idea of the match, and says she will agree to anything in order to bring it about. She has a high esteem for you, captain."

The man actually could not refrain from attempting to patronize even in such a position as this.

"That's very guid o' her to say sae, and very guid o' you to tell me. But there was nae need o' saying it, for Bell and me are auld acquaintances and we hae aye respeckit ane anither."

Cargill felt sore; it was his great weakness that he did not like to be reminded of the origin of his fortune or of himself. He would have done anything to remove his mother from the midst of her old associations; but she would not move, and in spite of all his efforts they were continually dashing in his teeth, as it were.

"She is a wonderful woman," he said vaguely, as he looked at the ceiling and sent a great cloud of smoke up to it.

"She is that," Captain Duncan said heartily, "and sae far everything is satisfactory. Noo, you hae naething mair ado than jist get the lass to gie her consent."

"Yes, but you will help me with your authority."

"Undoubtedly; I promised that afore — a' things being agreeable. And this I can tell you, there never was a more obedient and faithful bairn in the world than my Annie."

"Then that being the case we may consider the matter as good as settled; for I am not afraid of being able to make myself sufficiently agreeable to her during the passage to Peterhead to warrant you in telling her that you have chosen me for your son-in-law — provided one condition is complied with by you."

"And what may that be?"

"You are taking Ross with you?"

"I am that. He is the best man I could find to keep my mind easy when I

am resting myself. What's wrang about that?"

Cargill rested back in his chair and puffed meditatively for a few seconds before replying. Then —

"Do you mean to say, captain, that you don't see what is going on?"

"I see a heap o' things that are going on and going off too. But what particular thing are you meaning?"

"Would you like to see your daughter married to a man like Ross?"

"No, if she could get a better. He is a decent chiel. Do you see anything particular wrang with him?"

"I have nothing to say about him. But although I do not doubt myself, I would rather you did not take him with us on board the 'Mermaid.'"

It was the captain's turn to smoke for a few seconds in silence. Then, decisively, as if he had been arguing the whole question out in his mind, —

"The matter is settled and canna be changed."

"But don't you see, captain," urged Cargill in his heavy way, trying to be persuasive, "if he goes with us, you are denying me a fair chance with Miss Murray. If we are left to ourselves, all will go well; but if we are interfered with there is no saying what may happen."

"There is naething can happen that shouldna happen. Annie kens what she is doing, and Ross is a decent lad. If he doesna do anything to disgrace himself and she says that I am to part wi' the 'Mermaid' and her, then there is nae mair to be said about it. We'll jist hae to do it. You hae gotten my word — he hasna; so you maun take your chance. At the same time I should say that you are ower feared. What, man, you hae the siller and the grand ways. Do you think ony woman in her senses would hae a doubt as to the man she should take? Fie, I'm surpreezed at ye."

"That's true."

But when he went away Cargill's mind was more in keeping with the storm than when he arrived. On that black drive back to Edinburgh the wind seemed to whistle weird suggestions to his brain; the melancholy roar of the waters seemed to rouse wild thoughts of possibilities by which he might prove himself the worthier man of the two; and the ugly, slushy roads, crossed here and there by the ghastly light of a feeble lamp, seemed to reflect his mind.

All the weak vanity of the man was stirred to passion; and the passion which

springs from such a source is always the worst.

CHAPTER VII.

"MERMAID AHoy!"

DONKEY engines rattling bales of goods from quays aboard ships, or *vice versa*: barrels, boxes, hampers, all flying in the air and alighting safely in their places amidst a Babel of tongues and a great smell of tar. That was the port of Leith.

The bantam-like "Mermaid" nestled at its moorings, but panting and puffing as proudly as its neighbors, trying to make itself appear as big as possible, and continually asserting its claim to equal consideration with any of the huge rivals which lay to right and left of it. The bantam was noted amongst the people of the port for its neatness and sea-worthiness, and for the pushing character of its commander. Goods put on board the "Mermaid" were considered as safe as if they had been placed in the hands of the persons to whom they were consigned. Thus the credit of Duncan Murray stood high, and he valued it more than his life — truly more than his life, for it was no mere phrase with him, it was a fact. He valued that credit more than his life, more even than his daughter's life, and that meant everything human he cared about: it included the "Mermaid." It had come to be a saying, "as safe as though it was with Duncan Murray," and that was as much to him as if he had been made lord high admiral of the fleet.

The fact was remarkable that in the whole course of his trading he had never lost the smallest package intrusted to his care; and as years went on the pride of this fact grew in its proportions in his breast, until it seemed as if one failure would have killed him.

Annie, with her sailor's hat and pea-jacket on, stood on the hurricane deck overlooking the bustle on board and on the quays. Her father was moving about everywhere; now scolding, now encouraging, now lending a hand to move some pile.

At length everything was on board, and only two people were wanting to complete the equipment of the "Mermaid" for her trip.

"Where is Mr. Ross?" asked Annie, after long consideration with herself.

"He'll join us on the road; he asked me to let him go out last night and I said, ay, if he would meet us in time. Nae fear o' him."

She had no need to ask where was Mr. Cargill, for a cab drove along the wharves as far as it could, and that gentleman appeared in a faultlessly fashionable vulgar check tweed tourist suit. He had only a small hand-bag to carry, for his portmanteau had been put on board the previous night.

His figure was grotesque: imagine a stout man six feet in height, with heavy jowls and sleepy eyes, dressed like a lad of fifteen! This was Mr. Cargill, who had an unbounded faith in the elegance of his figure and the skill of his tailor.

Annie laughed at the sight of him, and the captain felt disposed to bid him "put some claes on" as quick as he could. But recognizing in all this the height of aristocratic fashion, he held his tongue and marvelled. Captain Duncan would have been a great toady if opportunity had offered; for he had a vast reverence for the "nobility," and deep respect for anything which even remotely represented it. So, with all his absurd airs, "Jeems" Cargill impressed the old man as being something out of the common — just as poor old Bell Cargill was impressed, and consequently permitted her money to flow at his command.

He saluted his hosts, but they were too much occupied to give him particular attention, and he had grace enough to recognize that fact. He applied himself to the arrangement of his berth, fitting up in it all the newest contrivances for securing comfort at sea. Having done this he went on deck.

The boat was just casting off. He looked around: Captain Duncan was doing everything and Bob Ross was not there!

"Are you going to do without your pilot?" he said to the skipper as he approached him.

"I hae nae time to speak to onybody the-noo," was the sharp response, as Captain Duncan hurried to his post on the hurricane deck.

Cargill quietly followed him, because Annie was there.

"We shall have a pleasant day," he said, with as much warmth as if there had been something very particular in the remark.

"It looks pleasant enough at present," she answered, smiling at the weather-prophet; "but it is a west wind, and those clouds yonder may bring us such rain as will spoil the nicest clothes."

He only observed the smile and was unconscious of the playful allusion to his gorgeous raiment.

"Ah, you are weather-wise, Miss Murray, and I ought not to have dared to say a word on the subject. I ought to have asked you to tell me how it was to be. But we may be happy in the most unpleasant weather when we are with those we like best in the world."

"What is the day to be, father?" she said, turning her head away impervious to this very broad compliment.

"You'll no be fashed wi' heavy seas, ony way," answered the captain, busy minding his own business and unconscious of what was going on. Cargill did feel that slight movement of her head and inattention to his words; for like all small natures he was content so long as attention was paid to him, but spiteful always, and wrathful sometimes, when he was treated with the slightest neglect.

"However, she will come round," was his thought, and the opportunity to bring her round was his now. The father was in his favor, and that bugbear, Bob Ross, was not on board. He congratulated himself most cordially on that circumstance. He did not care by what lucky accident it had been brought about. There was the fact, and that was enough for him. It was something more than that the absence of Ross left him free to woo Annie; there had been certain wild thoughts in his head which made him specially glad that the man was away.

Then he had a particular piece of gratification. Annie went down to the deck and he accompanied her. They walked up and down, and she listened to his empty chatter about the grand sights and grand people of London and Paris. He tried to make her understand what delights lay before the woman who should be taken to these places by a man who loved her and "knew his way about."

She said little in reply, but she listened, and he felt assured that he was making rapid progress in her good graces. She halted occasionally and looked out to sea or towards the shore scanning the waters with eager eyes: he did not observe their expression, and did not guess what she was looking for. And at such times she would say "Yes" or "No" or "That's fine," in a low voice which filled him with the joy of triumph.

But in the midst of his triumph, the "Mermaid" suddenly slackened speed, and then the engine stopped altogether. Annie stood still, looking at a smack which was sailing towards them.

"Is there anything the matter?" inquired Cargill in surprise.

"Oh, no, nothing the matter; only there's Mr. Ross coming."

Cargill looked as if the shadow of the blackest cloud which followed them had fallen on his face.

Then there came a shout from the distance of "'Mermaid' ahoy!" and presently the boat glided up beside the steamer. A lithe figure climbed up her side and Bob Ross stood on the deck. A wave of his hand to his comrades below to signify "all right," the boat dropped astern, and the paddles of the "Mermaid" moved again. Then he turned to shake hands with Annie, but did not stay to speak more than a few words of greeting to her. He hastened to the captain.

There was such a change in the manner of the girl! And yet it was a change of so quiet a nature that it was only perceptible to the eyes of jealousy. Dull of wit as Cargill might be, jealousy made him keen of vision. From the impassive listener to his rhodomontade, courteous because he was her father's guest, she became buoyant in mood and bright in face, answering him briskly on every subject he mooted, giving him with singular cordiality more than all the information he desired as to the management of the vessel and the various points of the coast which they passed. For as it was a clear day they were enabled to hug the coastline, and even the houses could be distinguished with the naked eye, so far.

"But suppose now if the man at the wheel happened for a little while to neglect his duty and you were passing a rocky shore, what would be the consequence?" he inquired, as one anxious for information.

"Well, if the wind blew landward we should come to grief," she replied, smiling. "But you need not be afraid of that with my father and Mr. Ross on board."

"Oh, I am not afraid," he said pompously; "but I wanted information in the management of a boat, as I think of buying a yacht, and your father is to arrange the matter for me if I should decide upon it. But that will depend upon somebody else."

And he looked at her, meaning that she should understand who the somebody was. She did not choose to understand, but answered as if she were interested in the project.

"It would be a fine enjoyment for you to go sailing about wherever you liked; but I hope you would not think of managing the boat yourself at first."

"Certainly not; but the somebody is

quite able to do it — only of course she would not require to do it. She would, however, control our skipper, whoever he might be, and see that he played no larks with us. As, for instance, keeping us in port for his own purposes when we wanted to go out by pretending that the wind was dead against us; or there was a storm coming — and so on. She would know all about it and set him right."

Still she would not understand.

"It is not usual for any one to interfere with the skipper," she said, without the slightest alteration of tone or manner; "and no man that ken'd his trade would allow it."

"But supposing you were to see a man making a dangerous mistake — he might know his trade but be drunk perhaps — *you* would not stand by and permit it to continue at the risk of the lives of all on board?"

"Ay, but the man that got drunk when at his work would not ken his trade," she answered, in a tone of contempt for such an individual as had been problematically suggested to her.

The answer and the manner in which it was given apparently afforded Cargill much satisfaction, for he did not at that moment further attempt to impress upon her that the yacht he spoke of was to be bought for her if his suit prospered.

She was too happy to be annoyed by his attentions; and he was not mistaken as to the immediate source of her good-nature. He saw her speaking frequently to Ross, and although he could not hear them, he could easily guess the purport of their conversation, and he was several times successful in interrupting them. He noted with what glee she waited upon him at meals, on which occasions they were generally alone together in the cabin, for, of course, when Ross was below, Captain Duncan was on deck.

Once, standing by the open skylight, he heard this part of their conversation.

"You mind, Annie, that when this trip is over I'm to speak to your father?"

"Oh, yes, I mind; and I can give you good news. From something he said to me, I think he'll maybe no be much against it."

Cargill walked away with teeth hard set and frowning brow.

CHAPTER VIII.

ROCKS AHEAD.

BUT from that moment Cargill's bearing towards Ross altered strangely. He

became quite friendly — not patronizing — in talking to him, and he praised him in the cabin. So cleverly did he manage this that Ross said to himself, "Well, he is not so spiteful as I thought he was;" and Annie's eyes brightened whilst she said to herself, "Well, there is some good in him after all. I never thought he could say a kind word about Bob." For although she spoke of Mr. Ross, that person was in her thoughts plain Bob.

In fact they were all getting on in such a pleasant way that Captain Duncan began to think that Cargill had succeeded in winning the lass; and he said to his daughter when they were alone together, —

"So, you're to tak' a man after a'?"

"I'm no wantin' a man," she said very decisively, knowing to whom her father referred.

"Ay, ay," was the jocular observation, "ye say that, but I never ken'd a lass that didna want a man unless she had ane already."

Annie turned away her head, making no reply. But she was thinking much. What was she to do if her father insisted on this marriage with Cargill? He had said that he would not insist; but she knew how obstinate he was once he had got an idea fixed in his head. Kind he was, and fond of her as a father could be of a daughter; but in his anxiety to see her "a grand leddy," as he called it, the conviction might be borne in upon him that he was proving his affection most by forcing her to do what he judged best for her future.

Had Annie seen the curious grin on her father's ruddy face as he made his little joke, perhaps she would not have been so uneasy. She had not seen it, but remembered what she had told him — that she would take no man without his good-will and would not take one against her own. She would hold to that.

She went towards Ross, who was at the wheel. He smiled as she approached, but there was no answering smile on her face. She passed him without a word, and stood with her back towards him gazing at the long track the little steamer had made.

Ross, grasping his wheel firmly, glanced round in surprise; but it was only for an instant, for he had to turn his face quickly to the course before him. He could speak, however, although he could not look, for the coast of huge rocks is one of the most dangerous known to mariners. The "Mermaid" was a very slow vessel, although a sure one, and to save time, the

weather being fine, they were hugging the shore, and constant watchfulness was requisite on the part of the pilot.

"Is there anything wrong?" he asked anxiously.

She answered, also without changing her position, —

"I am feared there is something wrong."

"Can you tell me what it is — can I help you in it?"

She stood silent for a while, the wind whistling around them and the engines panting as the "Mermaid" toiled her way along. At length, Annie, —

"Do you mind that day we were at the gate?"

"I shall never forget it."

"Do you mind that when I was saying there was only one time when I wished I might leave father, I did not tell you what that time was?"

"I mind every word you said, for every word was like gold to me."

"I am going to tell you now."

Her voice faltered a little as she spoke, and he listened with his heart thumping against his side. Then came the low, sweet voice like a whisper of the wind, —

"It was when I thought of you."

His grasp tightened on the handle of the wheel, as if to keep himself from forgetting all sense of duty and turning round to take her in his arms.

"I ken'd that, Annie, and that was what made your words sae dear to me. Nothing can ever take the joy of that minute from me — I hae felt it in my heart ever since, and it has comforted me whenever I thought of the possibility that you might be given away to — somebody else."

There was again a long silence. They were full of the glory of their love and could not speak. Annie was the first to find voice.

"I doubt my father is against us. He is taken up with that man, and his grand ways and his fortune and his promises, and I doubt he will never hearken to a word from you. That is what is wrong, and I'm sair troubled."

"But you will never give yourself to him?"

"Never. That is what I came to tell you — I shall never take him; but I shall never take you either without father's will. And I want to tell you more: that if I am no to be yours, I shall never be anybody else's."

"I am content. I can bide my time, and it will come. Do not you fear."

She scarcely heard the comforting words, for she had turned quickly and

hurried away, half ashamed of the confession and the pledge she had given.

Ross felt as if he could have steered the "Mermaid" against the wildest storm that ever blew. He was no mere man now, he was a giant with all a giant's strength. She had told him that her thoughts had been like his own long ago. She had pledged herself to him and the future was safe. Now he knew what he had to do. He had to satisfy her father and he would do it. There might be a little delay, but the time must come when Duncan Murray would own that he was worthy of his daughter. As for Cargill, — poor chap! — if he had any right feeling in him at all he would suffer badly by the loss. Even if it were only his vanity which was hurt, he would suffer. So, for him there was nothing but kindly pity.

But oh! the happiness that thrilled through the man as he stood at his post, guiding the little "Mermaid" safely to her port.

Cargill, however, had no intention of being a loser in this game they were playing. He, too, could bide his time, and he felt assured that his time was nearer than that of Ross.

It had been his purpose to make his proposal to Annie before they reached Peterhead; but he had soon seen that the time was not fitting, and he did not mean to ask her to marry him until he was pretty sure that her answer would be yes. And that time would be soon.

It was getting dark when the heavily laden little steamer reached the rugged coast of Buchan, and the pilot, knowing the dangers of the Dun Bay Rock and the Bullers, was keeping well off, but not so well off as one less acquainted with the coast would have done. So far, this had been the most rapid passage the slow "Mermaid" had achieved, and Ross had good reasons for desiring to make it a remarkable one in its career.

When they were about opposite Slains Castle, the lights were up, and there was no one on deck except Ross and the look-out. The captain was below, resting in perfect confidence of his pilot's skill, and Annie was engaged with some papers in the cabin.

Cargill came on deck, lit a cigar, and took a short turn up and down as if surveying the darkening outlines of the coast. He spoke a few words to the man on the look-out, then he walked slowly aft to Ross, who, confident of his course in such a calm sea, and feeling some sorrow for the man whose disappointment he ex-

pected to be so great, and who had become so friendly with him lately, had no objection to exchange a word with him.

"Cold work this, Ross, and confoundedly dull, isn't it?" he said good-naturedly.

"Neither cold nor dull, Mr. Cargill," was the cheery answer.

"Ah, you like the work, I suppose, and that makes all the difference."

Cargill seated himself on a coil of rope as he spoke.

"Of course I like it or I wouldn't be at it."

"I suppose you find it troublesome enough at times?"

"That is to be expected — all work is troublesome at times."

"You seem to be taking things easy, though, with all the perils of the deep before you."

"Whiles," answered Ross laughing.

"Wish I could do that," and a cloud of smoke went up from the cigar.

"You have never known what it was to work for your living, and that's a pity for any man."

"Ah. Do you smoke?"

"Very seldom, and never at work."

"That's a pity for you; because I have some splendid cigars here — cost a shilling each."

"Then I should not like to smoke one."

"You would if you knew what they were. Well, you won't refuse to have a drink with me? If you do, I shall think you are keeping up old scores against me."

He poured out a dram from his flask as he spoke and held it up to Ross. The latter hesitated, but remembering the trouble he was to cause this man, he said,

"It is against all rules to drink when on duty; but seeing what there has been between us and is likely to be, I won't refuse to drink your health."

He drank, and Cargill slowly put the metal cup on the bottom of his flask again.

"Capital stuff that, I can tell you. Got it myself from a friend in Campbelton."

"Ay, it's strong," said Ross, gasping. "I wish there had been some water with it."

"Would you like some now? I'll send it to you."

"Thank you, I'll be obliged to you."

"All right," and Cargill moved off as if to fulfil his promise. He threw his cigar overboard and disappeared down the cabin stair. But the water did not come.

Ross felt his throat parched and something fiery flew up to his head, making his eyes start as if they were to come out.

What could this be? Surely one glass of whisky could never have such an effect upon him. It must have been very strong whisky indeed. What a fool he had been to touch it! They were approaching the Dun Buy Rock and the Bullers, where he should have all his senses about him. But no! his senses were becoming confused, his eyes dim, and everything danced before them — a devil's dance of flashes of fire and black huge rocks. What was the matter? Could he not pull himself together? He had only to hold the wheel as it was and all was right. Steady, now. He set his teeth; he would master this demon that had got possession of him.

He tried to call out, but his tongue was paralyzed. His senses were becoming more and more confused, his eyes more and more dazzled. Then a sort of frenzy seemed to come upon him. He would defy these demons. He would hold on and carry the vessel safely by the rocks.

"He fell, still holding to the wheel, thus altering the course of the "Mermaid" so that her nose turned suddenly straight to the Dun Buy Rock.

There was a moment of bewilderment on the part of the look-out. Then he shouted in terror, —

"Save us! what's wrang? — we'll be on the rocks in five minutes!"

The captain heard the cry and hurried on deck, followed by his daughter and Cargill.

In an instant the captain's quick eyes took in the terrible position. He rushed to the wheel and saw Ross lying prostrate.

"Drunk! and curse him!" he almost screamed as he grasped the wheel, and with a vigorous effort wrenched it round so that he turned the "Mermaid" into safe water again.

All hands were on deck now, Annie standing apart, pale and bewildered.

"Take that drunken villain out o' my sight," he roared, as he stood panting and guiding the vessel.

CHAPTER IX.

ALL FORLORN.

THE huge rocks called the Bullers o' Buchan rise high and jagged above the sea, which dashes and churns white against them, falling back moaning as if with disappointment that it cannot overthrow them. But it has made inroads at their feet, forming curious archways, leading to great caverns, once the haunt of smugglers. Still the rocks stand firm, proud guardians of the coast, and a terror

to mariners and fishermen when the winds blow high.

The little "Mermaid" looked like a speck on the water in contrast with these giants of nature. As it steamed slowly and safely by them there were some on deck whose hearts beat quick at thought of the peril they were so narrowly escaping. All were grateful to the captain, who had come so timely with such skill and strength to their rescue; only one pitied the man who had led them into the danger.

As for Duncan Murray, his breast was full of wrath. The reputation for care and skill which he had earned with a lifetime to be jeopardized at last, and only saved by a miracle! Jeopardized by the man he had trusted as he trusted himself! There was no penalty heavy enough for such a villain!

Except the engine-man and Ross, who had been placed on the floor of the cabin, all remained on deck. But no word was spoken until they passed the grim Bullers. They were like people petrified, pale and dumb, watching the scowling figure at the wheel. When they knew that they were safe there was one great breath like a sob of relief, and a silent prayer of wondering thanks. Then the power of motion was restored to them by the loud voice of the captain giving some brief commands.

Annie had been by her father's side all the time, so white and calm that she was more like a statue than a living woman. She watched every movement of the vessel, how obediently it answered the helm under the master's hand, until at length it took them out into safe water. But her mind was busy seeking the reason for this strange occurrence. Her father in his rage had said that Ross was drunk, but she could not believe it. Her mind leapt to the thought that he had fallen in some fit; and at her father's first words she moved swiftly away, down to the cabin.

There on the floor lay the man she loved, the man to whom she had pledged herself, and who had so nearly destroyed them all — a senseless, ugly piece of humanity. She approached him, bent over him with tender hope.

She drew back quickly and her face flushed. His breath told her that her father had spoken truly. And yet she was dimly conscious that mingled with the fumes of whisky there was something else, which she did not understand, and which at the moment did not impress her mind.

There was the one horrible fact: he had been drinking and so had imperilled all their lives!

The first sickening sense of dismay over, she became calm again, and bethought her that something ought to be done to restore him to consciousness. Who was to help her? She dared not speak to her father and she would not speak to Cargill. By-and-by she would be able to get one of the men, but none of them could be spared at present.

Meanwhile she got a towel, dipped it in cold water and laid it on his head. Next she shook him roughly by the arm; but he made no sign. Then that was all she could do.

There was one thing more. She called him by name; but he made no sign. Whilst doing this she became a little more conscious of the presence of that something besides the fumes of whisky, only she was too busy in her efforts to rouse him to give it particular heed.

And she was wondering. How could this miserable shame fall on Bob Ross? In all that she had ever heard of him there had been no hint of this. Quite otherwise: one of the qualities for which he had been specially noted was his sobriety. Then how should it come now in the hour when he was most anxious to please her father?

She could not understand. It was strange: that was all she could say, and in her bewilderment begin wondering again. And as she was wondering there came suddenly a pain in her breast and a dull aching in the dry eyes, for was not his shame hers?

Oh, how brave and noble she had believed him to be! How much above all other men in everything — how pure, how strong and faithful in all that became a man! And lo, there he lay helpless — such a sorry sight!

She could not bear, it and she covered her face with her hands, rocking herself to and fro as she knelt beside him. Strange, piteous cries in her brain, but no sound coming from her lips. The idol seemed to have fallen from its high place — fallen so low down and still was loved.

She did not care now who knew it. She loved him and she would help him, though everybody else should turn from him.

She knew by the sounds on deck — trampling of feet, loud voices — and the varying movements of the engine, that they were nearing port. Whether or not the noise had any effect in rousing him,

Ross at length stirred from his lethargy.

He moved slightly as if to turn on his right side. With anxious face and ready hands she assisted him. He muttered something in a husky whisper, but she was unable to make out what he said.

She called him by name twice and her voice seemed to reach him at last. There was a spasmodic movement of the body, and this time his muttering was distinct enough for her to comprehend, —

"Starboard, starboard, confound ye. There's the Dun Buy—we must hold off."

The rest of his words faded into indistinctness again.

The turmoil above grew louder, and the movements of the engine more eccentric than before.

She dipped the towel into cold water, and bathed his face and hands. He breathed more freely and regularly than he had been doing for some time, and presently he opened his eyes.

What weary, wild eyes they were, staring at her without the least sign of recognition! They frightened her, and yet they brought the tears which relieved her own parched eyes.

"Do you no ken me—Bob?" she hesitated a little over the name.

The wild expression disappeared and slowly there came a smile of recognition.

"No ken you, Annie! how could that ever be? *My* lass! But what a dream I hae had—that I got fou and let the boat gang on the rocks and —"

But there the glimmer of intelligence faded, and a vacant expression took its place. This was not the expression of imbecility, but that of one who is looking at something he cannot see and searching his mind for something he cannot find.

Suddenly he made an effort to rise, but fell back helpless.

"Try again," she said eagerly; "if you could only get on to the seat, it would make me less wae to look at you."

Mechanically he made the effort, and with her strong help succeeded, after a few trials, in getting on to the seat. He leaned back, unable to support himself, still looking at the something he could not see.

"Can you bide there that way till I get you a drink?"

She brought him a glass of water and held it to his lips. He drank greedily as if his throat were parched, and he seemed to revive. She took both his hands in hers and gazing earnestly at him said, —

"Can you no tell me how this happened? Try to mind. Where did you get the drink?"

"I canna tell. I got whisky, and I saw the Dun Buy and the Bullers, and I wanted to keep clear of them. But something aye pulled the wheel out o' my hands. There was —"

He ended the sentence by shaking his head hopelessly and muttering wearily, "I canna tell—I dinna ken."

She saw it was no use pressing her questions further at that time, and indeed she had no opportunity of doing so. Although the noise above continued, the engine had stopped, and she knew that they were in port. Her father came down. Partly in consequence of his dread of any further accident, and partly out of a wise discretion, knowing his own temper, he had delayed coming until the "Mermaid" was safely moored in Peterhead Harbor. Now when he came, he found her holding Ross's hands and speaking softly to him. His passion blazed up in spite of himself.

"What are you doing there with that scoondrel? Come oot o' that this moment."

She did not move, and Ross was apparently quite unconscious of the angry and bitter words.

"Did you no hear me?" shouted the father. "I tell you that you are no to disgrace yoursel' by speaking another word to him."

"Father, he is no weel," she said gently, but without releasing her lover's hands.

"No weel! — he'll be well enough when he gets over his drucken fit."

"This is not a drunken fit, father. He is really not well, and you should get a doctor to see him."

"Me get a doctor for the scoondrel that nearly ruined me as weel as drooned us a'!" exclaimed the captain, as much astounded by his daughter's calmness as by her first disobedience. "I tell you he was drinking when he was at the wheel, and that would hae been enough for me even if he hadna put us a' in siccan danger."

"How do you know that he was drinking when at the wheel?" she asked calmly.

"Cargill told me. He took a dram from him."

"Ah!" The exclamation was short, quick, with a drawing in of the breath. "And *he* gave it to him."

"Ay, but he maun hae been drinking

before that, because ae dram wouldna mak' him like what he is. Come, out o' this, Bob Ross, and thank the kindly thoughts I hae aye had for you till noo, that I dinna send you to jail instead of giein' you leave to walk ashore."

"Father, will you not send for a doctor?" she pleaded once more.

"I'll no hear another word, you hizzie, but I'll hae, something to say to you in a wee while."

To her amazement Ross stood up, unsteadily, but still maintaining the position. He drew one hand dazedly across his eyes and said huskily, —

"No for me, Annie — no for me — you shall not suffer for me. I'll go. Your father is right. I begin to mind now, and it is his kind thought that saves me from a jail — it is not all clear yet; but it is coming back. Me standing at the wheel and no power to speak, and — and that's all."

"Bide a minute and I'll get Jock Burns to go with you," and she darted up the stair.

Captain Duncan was puzzled. He could not make out the man; this was not the way he had ever before seen anybody who was "fou" behave. But then there was nothing else to explain his falling asleep at the wheel; and so he answered the puzzle by resolving to stick to his first impression.

"I am sorry for you, Bob; but you hae brought it on yourself and I canna pass it over. Had it been onybody else I would hae been on the look-out for sic a thing, but no wi' you — no wi' you."

"You are doing kindly by me, captain, and I thank you," said the poor man, again passing his hand dazedly over his eyes. "I dinna understand yet; but it's coming to me, and I ken that I was wrang. I thank you and I'll go."

He made a step forward, staggered, and fell back upon the seat. He would have fallen on the floor but that the sturdy captain caught him in time.

From The Nineteenth Century.
OUTCAST RUSSIA.

THE JOURNEY TO SIBERIA.

SIBERIA — the land of exile — has always appeared in the conceptions of the Europeans as a land of horrors, as a land of the chains and *knot*, where convicts are flogged to death by cruel officials, or killed by overwork in mines; as a land of

unutterable sufferings of the masses and of horrible prosecutions of the foes of the Russian government. Surely nobody, Russian or foreigner, has crossed the Ural Mountains and stopped on their water-divide, at the border pillar that bears the inscription "Europe" on one side, and "Asia" on the other, without shuddering at the idea that he is entering the land of woes. Many a traveller has certainly said to himself that the inscription of Dante's "Inferno" would be more appropriate to the boundary pillar of Siberia than these two words which pretend to delineate two continents.

As the traveller descends, however, towards the rich prairies of western Siberia; as he notices there the relative welfare and the spirit of independence of the Siberian peasant, and compares them with the wretchedness and subjection of the Russian peasant; as he makes acquaintance with the hospitality of the supposed ex-convicts — the "Siberyaks" — and with the intelligent society of the Siberian towns, and perceives nothing of the exiles, and hears nothing of them in conversations going on about everything but this subject; as he hears the boasting reply of the Eastern Yankee who drily says to the stranger that in Siberia the exiles are far better off than peasants in Russia — he feels inclined to admit that his former conceptions about the great penal colony of the north were rather exaggerated, and that, on the whole, the exiles may be not so unfortunate in Siberia, as they were represented to be by sentimental writers.

Very many visitors to Siberia, and not foreigners alone, have made this mistake. Some occasional circumstance — something like a convoy of exiles met with on the muddy road during an autumn storm, or a Polish insurrection on the shores of Lake Baikal, or, at least, such a rencontre with an exile in the forests of Yakutsk, as Adolf Erman made and so warmly described in his "Travels" — some occasional striking fact, in short, must fall under the notice of the traveller, to give him the necessary impulse for discovering the truth amidst the official misrepresentation and the non-official indifference; to open his eyes and to display before them the abyss of sufferings that are concealed behind those three words, exile to Siberia. Then he perceives that besides the official story of Siberia there is another sad story, through which the shrieks of the exiles have been going on as a black thread from the remotest times of

the conquest until now. Then he learns that, however dark, the plain, popular conception of Siberia is still brighter than the horrible naked truth; and that the horrible tales he has heard long ago, in his childhood, and has supposed since to be tales of a remote past, in reality are tales of what is going on now, in our century which writes so much, and cares so little, about humanitarian principles.

This story already lasts for three centuries. As soon as the tsars of Moscow learned that their rebel Cossacks had conquered a new country "beyond the Stone" (the Ural), they sent there batches of exiles, ordering them to settle along the rivers and footpaths that connected together the blockhouses erected, in the space of seventy years, from the sources of the Kama to the Sea of Okhotsk. Where no free settlers would settle, the chained colonizers had to undertake a desperate struggle against the wilderness. As to those individuals whom the rising powers of the tsars considered most dangerous, we find them with the most advanced parties of Cossacks who were sent "across the mountains, in search for new lands." No distance, however immense, no wilderness, however unpracticable, seemed sufficient to the suspicious rule of the *boyars* to be put between such exiles and the capital of the tsardom. And, as soon as a blockhouse was built, or a convent erected, at the very confines of the tsar's dominions — beyond the Arctic circle, in the *toundras* of the Obi, or beyond the mountains of Daouria — the exiles were there, building themselves the cells that had to be their graves.

Even now, Siberia is, on account of its steep mountains, its thick forests, wild streams, and rough climate, one of the most difficult countries to explore. It is easy to conceive what it was three hundred years ago. Even now it is that part of the Russian Empire where the arbitrariness and brutality of officers are the most unlimited. What was it, then, during the seventeenth century? "The river is shallow; the rafts are heavy; the chiefs are wicked, and their sticks are big; their whips cut through the skin, and their tortures are cruel; fire and strappado; but the men are hungry, and they die, poor creatures, at once after the torture," — wrote the *protopope* Avvakum, the fanatic priest of the "old religion" whom we met with the first parties going to take possession of the Amor. "How long, my master, will these tortures last?" asks his wife as she falls attenuated on the ice of

the river, after a journey that already has lasted for five years. "Until our death, my dear; until our death," replies this precursor of the steel-characters of our own times; and both, man and wife, continue their march towards the place where the *protopope* will be chained to the walls of an icy cellar dug out by his own hands.

Since the beginning of the seventeenth century, the flow of exiles poured into Siberia has never ceased. During the first years of the century, we see the inhabitants of Uglitch exiled to Pelym, together with their bell which rang the alarm when it became known that the young Demetrius has been assassinated by order of the regent Boris Godunoff. Men and bell alike have tongues and ears torn away, and are confined in a hamlet on the borders of the *toundra*. Later on they are followed by the *raskolniks* (non-conformists) who revolt against the aristocratic innovations of Nikon in Church matters. Those who escape the massacres, like that "of the three thousand," go to people the Siberian wildernesses. They are soon followed by the serfs who make desperate attempts of overthrowing the yoke freshly imposed on them; by the leaders of the Moscow mob revolted against the rule of the *boyars*; by the militia of the *streltsy* who revolt against the all-crushing despotism of Peter I.; by the Little Russians who fight for their autonomy and old institutions; by all those populations who will not submit to the yoke of the rising empire; by the Poles — by three great and several smaller batches of Poles — who are despatched to Siberia by thousands at once, after each attempt at recovering their independence. . . . Later on, all those whom Russia fears to keep in her towns and villages — murderers and simple vagrants, non-conformists and rebels; thieves and paupers who are unable to pay for a passport; serfs who have incurred the displeasure of their proprietors; and still later on, "free peasants" who have incurred the disgrace of an *ispravnik*, or are unable to pay the ever-increasing taxes — all these are going to die in the marshy lowlands, in the thick forests, in the dark mines. This current flows until our own days, steadily increasing in an alarming proportion. Seven to eight thousand were exiled every year at the beginning of this century; eighteen to nineteen thousand are exiled now — not to speak of the years when this figure was doubled, as was the case after the last Polish insurrection —

making thus a total of more than six hundred thousand people who have crossed the Ural Mountains since 1823, when the first records of exile were taken.

Few of those who have endured the horrors of hard labor and exile in Siberia have committed to paper their sad experience. The *protopope* Avvakum did, and his letters still feed the fanaticism of the *raskolniks*. The melancholy stories of the Menshikoff, the Dolgorouky, the Biron, and other exiles of high rank have been transmitted to posterity by their sympathizers. Our young republican poet Ryléeff, before being hung in 1827, told in a beautiful poem, "Vainarovsky," the sufferings of a Little Russian patriot. Several memoirs of the "Decembrists" (exiled for the insurrection of December 26, 1825), and the poem of Nekrasoff, "The Russian Women," are still inspiring the young Russian hearts with love for the prosecuted and hate to the prosecutors. Dostoevsky has told in a remarkable psychological study of prison life his experience at the fortress of Omsk after 1848; and several Poles have described the martyrdom of their friends after the revolutions of 1831 and 1848. . . . But, what are all these pains in comparison with the sufferings endured by half a million of people, from the day when, chained to iron rods, they started from Moscow for a two or three years' walk towards the mines of Transbaikalia, until the day when, broken down by hard labor and privations, they died at a distance of five thousand miles from their native villages, in a country whose scenery and customs were as strange to them as its inhabitants — a strong, intelligent, but egotistic race!

What are the sufferings of the few, in comparison with those of the thousands under the cat o'-nine-tails of the legendary monster Rozguildeeff, whose name is still the horror of the Transbaikalian villages; with the pains of those who, like the Polish doctor Szokalsky and his companions, died under the *seventh thousand* of rod-strokes for an attempt to escape; with the sufferings of those thousands of women who followed their husbands and for whom death was a release from a life of hunger, of sorrow, and of humiliation; with the sufferings of those thousands who yearly undertake to make their escape from Siberia and walk through the virgin forests, living on mushrooms and berries, and inspired with the hope of at least seeing again their native village and their kinsfolk?

Who has told the less striking, but not less dramatic pains of those thousands

who spin out an aimless life in the hamlets of the far north, and put an end to their wearisome existence by drowning in the clear waters of the Yenisei? M. Maximoff has tried, in his work on "Hard Labor and Exile," to raise a corner of the veil that conceals these sufferings; but he has shown only a small corner of the dark picture. The whole remains and probably will remain unknown; its very features are obliterated day by day, leaving but a faint trace in the folk-lore and in the songs of the exiles; and each decade brings its new features, its new forms of misery for the ever-increasing number of exiles.

It is obvious that I shall not venture to draw the whole of this picture in the narrow limits of a review article. I must necessarily limit my task to the description of the exile as it is now — say, during the last ten years. No less than one hundred and sixty-five thousand human beings have been transported to Siberia during this short space of time; a very high figure of criminality, indeed, for a population numbering seventy-two millions, if all exiles were "criminals." Less than one-half of them, however, crossed the Ural in accordance with sentences of the courts. The others were thrown into Siberia, without having seen any judges, by simple order of the administrative, or in accordance with resolutions taken by their communes — nearly always under the pressure of the omnipotent local authorities. Out of the 151,184 exiles who crossed the Ural during the years 1867 to 1876, no less than 78,676 belonged to this last category. The remaining were condemned by courts: 18,582 to hard labor, and 54,316 to be settled in Siberia, mostly for life, with or without loss of all their civil rights.*

* Our criminal statistics are so imperfect that a thorough classification of exiles is very difficult. We have but one good work on this subject, by M. Anuchin, published a few years ago by the Russian Geographical Society, and crowned with its great gold medal; it gives the criminal statistics for the years 1827 to 1846. However old, these statistics still give an approximate idea of the present conditions, more recent partial statistics having shown that since that time all figures have doubled, but the relative proportions of different categories of exiles have remained nearly the same. Thus, to quote but one instance, out of the 150,755 exiled during the years 1827 to 1846, no less than 79,909, or 50 per cent., were exiled by simple orders of the administrative; and thirty years later we find again nearly the same rate — slightly increased — of arbitrary exile (78,676 out of 151,184 in 1867 to 1876). The same is approximately true with regard to other categories. It appears from M. Anuchin's researches that out of the 79,846 condemned by courts, 14,531 (725 per year) were condemned as assassins; 14,248 for heavier crimes, such as incendiarism, robbery, and forgery; 40,666 for stealing, and 1,426 for smuggling, making thus a total of 70,871 cases (about 3,545 per year) which would have been condemned by the codes

Twenty years ago, the exiles traversed on foot all the distance between Moscow and the place to which they were despatched. They had thus to walk something like forty-seven hundred miles in order to reach the hard-labor colonies of Transbaikalia, and fifty-two hundred miles to reach Yakutsk. Nearly a two years' walk for the former, and two years' and a half for the second. Some amelioration has been introduced since. After having been gathered from all parts of Russia at Moscow, or at Nijni-Novgorod, they are transported now by steamer to Perm, by rail to Ekaterinburg, in carriages to Tumen, and again by steamer to Tomsk. Thus, according to a recent English book on exile to Siberia, they have to walk "only the distance beyond Tomsk." In plain figures, this trifling distance means two thousand and sixty-five miles to Kara, something like a nine months' foot journey. If the prisoner be sent to Yakutsk he has "only" two thousand nine hundred and forty miles to walk, and the Russian government having discovered that Yakutsk is a place still too near to St. Petersburg to keep these political exiles, and sending them now to Verkhoyansk and Nijne-Kolymsk (in the neighborhood of Nordenskjöld's wintering-station), a distance of some fifteen hundred miles must be added to the former "trifling" distance, and we have again the magic figure of forty-five hundred miles—or two years' walk—reconstituted in full.

However, for the great mass of exiles,

—although not always by a jury—of all countries in Europe. The remainder, however (that is, nearly 80,000), were exiled for offences which depended chiefly, if not entirely, upon the political institutions of Russia: their crimes were: rebellion against any serf-proprietors and authorities (16,456 cases); nonconformist fanaticism (2,138 cases); desertion from a twenty-five years' military service (1,651 cases); and escape from Siberia, mostly from administrative exile (18,328 cases). Finally, we find among them the enormous figure of 48,466 "vagrants," of whom the laureate of the Geographical Society says: "Vagrancy mostly means simply going to a neighboring province without a passport"—out of 48,466 "vagrants," 40,000 at least, "being merely people who have not complied with passport regulations" (that is— their wife and children being brought to starvation, they not having the necessary five or ten roubles for taking a passport, and walking from Kalouga, or Tula, to Odessa, or Astrakhan, in search of labor). And he adds: "Considering these 80,000 exiled by order of the administrative, we not only doubt their criminality; we simply doubt the very existence of such crimes as those imputed to them." The number of such "criminals" has not diminished since. It has nearly doubled, like other figures. Russia continues to send every year to Siberia, for life, four to five thousand men and women, who in other States would be simply condemned to a fine of a few shillings. To these "criminals" we must add no less than 1,500 women and 2,000 to 2,500 children who follow every year their husbands, or parents, enduring all the horrors of a march through Siberia and of the exile.

the foot journey has been reduced by one-half, and they begin their peregrinations in Siberia in special carriages. M. Maximoff has very vividly described how the convicts at Irkutsk, to whose judgment such a moving machine was submitted, declared at once that it was the most stupid vehicle that could be invented for the torment of both horses and convicts. Such carriages, which have no accommodation for deadening the shocks, move slowly on the rugged, jolting road, ploughed over and over by thousands of heavily loaded cars. In western Siberia, amidst the marshes on the eastern slope of the Ural, the journey becomes a true torture, as the highway is covered with loose beams of wood, which recall the sensation experienced when a finger is dragged across the keys of a piano, the black keys included. The journey is hard, even for the traveller who is lying on a thick felt mattress in a comfortable *tarantass*, and it is easy to conceive what the convict experiences, who is bound to sit motionless for eight or ten hours on the bench of the famous vehicle, having but a few rags to shelter him from snow and rain.

Happily enough this journey lasts but a few days, as at Tumen the exiles are embarked on special barges, or floating prisons, taken in tow by steamers, and in the space of eight or ten days are brought to Tomsk. I hardly need say that, however excellent the idea of thus reducing by one-half the long journey through Siberia, its partial realization has been most imperfect. The convict barges are usually so overcrowded, and are usually kept in such a state of filthiness, that they have become real nests of infection. "Each barge has been built for the transport of eight hundred convicts and the convoy," wrote the Tomsk correspondent of the *Moscow Telegraph*, on November 15, 1881; "the calculation of the size of the barges has not been made, however, according to the necessary cubical space, but according to the interests of the owners of the steamers, MM. Kurbatoff and Ignatoff. These gentlemen occupy for their own purpose two compartments for a hundred men each, and thus eight hundred must take the room destined for six hundred. The ventilation is very bad, there being no accommodation at all for that purpose, and the cabinets are of an unimaginable nastiness." He adds that "the mortality on these barges is very great, especially among the children," and his information is fully confirmed by offi-

cial figures published last year in all newspapers. It appears from these figures that eight to ten per cent. of the convict passengers died during their ten days' journey on board these barges; that is, something like sixty to eighty out of eight hundred.

"Here you see," wrote friends of ours who have made this passage, "the reign of death. Diphtheria and typhus pitilessly cut down the lives of adults and children, especially of these last. Corpses of children are thrown out nearly at each station. The hospital, placed under the supervision of an ignorant soldier, is always overcrowded."

At Tomsk the convicts stop for a few days. One part of them — especially the common-law exiles, transported by order of the administrative — are sent to some district of the province of Tomsk which extends from the spurs of the Altay ridge on the south to the Arctic Ocean on the north. The others are despatched farther towards the east. It is easy to conceive what a hell the Tomsk prison becomes when the convicts arriving every week cannot be sent on to Irkutsk with the same speed, on account of inundations, or obstacles on the rivers. The prison was built to contain nine hundred and sixty souls, but it never holds less than thirteen to fourteen hundred, and very often twenty-two hundred, or more. One-quarter of the prisoners are sick, but the infirmary can shelter only one-third, or so, of those who are in need of it; and so the sick remain in the same rooms, upon or beneath the same platforms where the remainder are crammed to the amount of three men for each free place. The shrieks of the sick, the cries of the fever-stricken patients, and the rattle of the dying mix together with the jokes and laughter of the prisoners, with the curses of the warders. The exhalations of this human heap mix with those of their wet and filthy clothes and with the emanations of the horrible *parashia*. "You are suffocated as you enter the room, you are fainting and must run back to breathe some fresh air; you must accustom yourself by-and-by to the horrible emanations which float like a fog in the river" — such is the testimony of all those who have entered unexpectedly a Siberian prison. The "families room" is still more horrible. "Here you see," says a Siberian official in charge of the prisons — M. Mishlo — "hundreds of women and children closely packed together, in such a state of misery as no

imagination could picture." The families of the convicts receive no cloth from the State. Mostly peasant women, who, as a rule, never have more than one dress at once; mostly reduced to starvation as soon as their husbands were taken into custody, they have buckled on their sole cloth when starting from Arkhangelsk or Astrakhan, and, after their long peregrinations from one lock-up to another, after the long years of preliminary detention and months of journey, only rags have remained on their shoulders from their weather-worn clothes. The naked emaciated body and the wounded feet appear from beneath the tattered clothes as they are sitting on the nasty floor, eating the hard black bread received from compassionate peasants. Amidst this moving heap of human beings who cover each square foot of the platforms and beneath them, you perceive the dying child on the knees of his mother, and close by, the new-born baby. The baby is the delight of, the consolation to these women, each of whom surely has more human feelings than any of the chiefs and warders. It is passed from hand to hand; the best rags are parted with to cover its shivering limbs, the tenderest caresses are for it. . . . How many have grown up in this way! One of them stands by my side as I write these lines, and repeats to me the stories she has heard so many times from her mother about the humanity of the *scelerates* and the infamy of their "chiefs." She describes to me the toys that the convicts made for her during the interminable journey — plain toys inspired by a good-hearted humor, and side by side, the miserable proceedings, the exactions of money, the curses and blows, the whistling of the whips of the chiefs.

The prison, however, is cleared by-and-by, as the parties of convicts start to continue their journey. When the season and the state of the rivers permit it, parties of five hundred convicts each, with women and children, leave the Tomsk prison every week, and begin their foot journey to Irkutsk and Transbaikalia. Those who have seen such a party in march, will never forget it. A Russian painter, M. Jacoby, has tried to represent it on canvas; his picture is sickening, but the reality is still worse.

You see a marshy plain where the icy wind blows freely, driving before it the snow that begins to cover the frozen soil. Morasses with small shrubs, or crumpled trees, bent down by wind and snow,

spread as far as the eye can reach; the next village is twenty miles distant. Low mountains, covered with thick pine forests, mingling with the grey snow-clouds, rise in the dust on the horizon. A track, marked all along by poles to distinguish it from the surrounding plain, ploughed and rugged by the passage of thousands of cars, covered with ruts that break down the hardest wheels, runs through the naked plain. The party slowly moves along this road. In front, a row of soldiers opens the march. Behind them, heavily advanced the hard-labor convicts, with half-shaved heads, wearing grey clothes, with a yellow diamond on the back, and open shoes worn out by the long journey and exhibiting the tatters in which the wounded feet are wrapped. Each convict wears a chain, riveted to his ankles, its rings being twisted into rags — if the convict has collected enough of alms during his journey to pay the blacksmith for riveting it looser on his feet. The chain goes up each foot and is suspended to a girdle. Another chain closely ties both hands, and a third chain binds together six or eight convicts. Every false movement of any of the pack is felt by all his chain-companions; the feeble is dragged forward by the stronger, and he must not stop: the way — the *étape* — is long, and the autumn day is short.

Behind the hard-labor convicts march the *poselentsy* (condemned to be settled in Siberia) wearing the same grey cloth and the same kind of shoes. Soldiers accompany the party on both sides, meditating perhaps the order given at the departure: "If one of them runs away, shoot him down. If he is killed, five roubles of reward for you, and a dog's death to the dog!" In the rear you discover a few cars that are drawn by the small, attenuated, cat-like peasants' horses. They are loaded with the bags of the convicts, with the sick or dying, who are fastened by ropes on the top of the load.

Behind the cars hasten the wives of the convicts; a few have found a free corner on a loaded car, and crouch there when unable to move further; whilst the great number march behind the cars, leading their children by the hands, or bearing them on their arms. Dressed in rags, freezing under the gusts of the cold wind, cutting their almost naked feet on the frozen ruts, how many of them repeat the words of Arvakum's wife: "These tortures, ah dear, how long will they last?" In the rear, comes a second detachment of soldiers who drive with the butt ends of

their rifles those women who stop exhausted in the freezing mud of the road. The procession is closed by the car of the commander of the party.*

As the party enters some great village, it begins to sing the *miloserdnaya* — the "charity song." They call it a song, but it hardly is that. It is a succession of woes escaping from hundreds of breasts at once, a recital in very plain words expressing with a childish simplicity the sad fate of the convict — a horrible lamentation by means of which the Russian exile appeals to the mercy of other miseries like himself. Centuries of suffering, of pains and misery, of persecutions that crush down the most vital forces of our nation, are heard in these recitals and shrieks. These tones of deep sorrow recall the tortures of the last century, the stifled cries under the sticks and whips of our own time, the darkness of the cellars, the wildness of the woods, the tears of the starving wife. The peasants of the villages on the Siberian highway understand these tunes; they know their true meaning from their own experience, and the appeal of the *neschastnyie* — one of the "sufferers," as our people call all prisoners — is answered by the poor; the most destitute widow, signing herself with the cross, brings her coppers, or her piece of bread, and deeply bows before the chained "sufferer," grateful to him for not disdaining her small offering.

Late in the afternoon, after having covered some fifteen or twenty miles, the party reaches the *étape* where it spends the night and takes one day's rest each three days. It accelerates its pace as soon as the paling that incloses the old log-wood building is perceived, and the strongest run to take possession by force of the best places on the platforms. The *étapes* were mostly built fifty years ago, and after having resisted the inclemencies of the climate, and the passage of a hundred thousand of convicts, they have become now rotten and foul from top to bottom. The old log-wood house refuses shelter to the chained travellers brought under its roof, and wind and snow freely enter the interstices between its rotten beams; heaps of snow are accumulated in

* The Russian law says that the families of the convicts are not submitted to the control of the convoy. In reality they are submitted to the same treatment as the convicts. To quote but one instance. The *Tomsk* correspondent of the *Moscow Telegraph* wrote on November 3, 1881: "We have seen on the march the party which left *Tomsk* on September 14. The exhausted women and children literally stuck in the mud, and the soldiers dealt them blows, to make them advance and to keep pace with the party."

the corners of the rooms. The *étape* was built to shelter one hundred and fifty convicts; that being the average size of parties thirty years ago. At present the parties consist of four hundred and fifty to five hundred human beings, and the five hundred must lodge on the space parsimoniously calculated for one hundred and fifty.*

The stronger ones, or the aristocracy among the convicts—the elder vagrants and the great murderers—cover each square inch of the platforms; the remainder, that is, double the number of the former, lie down on the rotten floor, covered with an inch of sticky filth, beneath and between the platforms. What becomes of the rooms when the doors are closed, and the whole space filled with human beings who lie naked on their nasty clothes impregnated with water, will be easily imagined.

The *étapes*, however, are palaces when compared with the half-*étapes*, where the parties spend only the nights. These buildings are still smaller, and, as a rule, still more dilapidated, still more rotten and foul. Sometimes they are in such a state as to compel the party to spend the cold Siberian nights in light barracks erected in the yard, and without fire. As a rule, the half-*étape* has no special compartment for the women, and they must lodge in the room of the soldiers (see Maximoff's "Siberia"). With the resignation of our "all-enduring" Russian mothers, they squat down with their babies wrapped in rags, in some corner of the room below the platforms or close by the door, among the rifles of the escort.

No wonder that, according to official statistics, out of the 2,561 children less than fifteen years old who were sent in 1881 to Siberia with their parents, "a very small part survived." "The majority," the *Golos* says, "could not support the very bad conditions of the journey, and died before, or immediately after, having reached their destination in Siberia." In sober truth, the transportation to Siberia, as practised now, is a real "Massacre of Innocents."

Shall I add that there is no accommodation for the sick, and one that must have exceptionally robust health to survive

an illness during the journey? There are but five small hospitals, with a total of a hundred beds, on the whole stretch between Tomsk and Irkutsk, that is, on a distance which represents at least a four months' journey. As for those who cannot hold out until a hospital is reached, it was written to the *Golos*, on January 5, 1881: "They are left at the *étapes* without any medical help. The sick-room has no bedsteads, no beds, no cushions, no coverings, and of course nothing like linen. The 48½ kopecks per day that are allowed for the sick, remain mostly in full in the hands of the authorities."

Shall I dwell upon the exactions to which the convicts are submitted, notwithstanding their dreadful misery, by the warders of the *étapes*? Is it not sufficient to say that the warders of these buildings are paid by the crown, besides the allowance of corn flour for black bread, only with three roubles, or 6s. per year? "The stove is out of order, you cannot light the fire," says one of them, when the party arrives quite wet or frozen; and the party pays its tribute for permission to light the fire. "The windows are under repair," and the party pays for having some rags to fill up the openings through which freely blows the icy wind. "Wash up the *étape* before leaving, or pay so much," and the party pays again, and so on and so on. And shall I mention, too, the manner in which the convicts and their families are treated during the journey? Even the political exiles once revolted, in 1881, against an officer who had permitted himself to assault in the dark corridor a lady marched to Siberia for a political offence. The common-law exiles surely are not treated better than the political ones.

All these are not tales of the past. They are real pictures of what is going on now, at the very moment when I write these lines. My friend N. Lopatin, who made the same journey two years ago, and to whom I have shown these pages, fully confirms all the above statements, and adds much more which I do not mention only for want of space. What really is a tale of the past—of a very recent case—is the chaining together of eight or ten convicts. This horrible measure, however, was abolished in January, 1881. At present, each convict has his hands chained separately from his comrades. But still, the chain being very short, gives such a posture to the arms as renders the ten and twelve hours' march very difficult, not to speak of the insupportable rheu-

* The Russian law, which mostly has been written without any knowledge of the real conditions it deals with, forbids to send out such numerous parties. But, in reality, the normal party numbers now 480 persons. In 1881, according to the *Golos*, 6,507 convicts were sent in sixteen parties, making thus an average of 406 convicts per party. N. Lopatin gives us the figure of 480 as the average size of parties.

matic pain occasioned in the bones by the contact of the iron rings during the hard Siberian frosts. This pain, I am told and readily believe it, soon becomes a real torture.

I hardly need add that, contrary to the statements of a recent English traveller through Siberia, the political convicts perform the journey to Kara, or to the places where they are to be settled as *poselentsy*, under the same conditions as, and together with, the common-law convicts. The very fact of Izbitskiy and Debagorio-Mokrievitch having exchanged names with two common-law convicts, and having thus escaped from hard labor, proves that the English traveller's information was false. Nicholas Lopatin, whom I have already mentioned, and who has been condemned to settlement in Siberia, performed the journey on foot, in company with a dozen, or so, of comrades. It is true that a great number of Polish exiles of 1864, and notably all noblemen and chief convicts, were transported in carriages, on posting horses. The numerous political exiles, transported to Siberia by order of the administrative, also perform the journey in the same way — where there are posting horses. But, since 1866, the political convicts (condemned by courts to hard labor or exile) have mostly made the journey on foot, together with common-law convicts. An exception was made in 1877-1879 for the few who were transported to eastern Siberia during those three years. They were transported in cars, but following the line of the *étapes*. Since 1879, however, all political convicts — men and women alike, and many exiled by order of the administrative — have made the journey precisely in the way I have described, very many of them chained, contrary to the law of 1827.

When writing his book on "Hard Labor and Exile," M. Maximoff concluded it with the wish that the horrors of the foot journey he had described might become as soon as possible matter of history. The transport of convicts on barges was then just inaugurated, and this measure had saved the State, during the first year, a sum of 40,000*l.* The ministry of justice was earnestly pressing at that time all honest men to tell what they knew about the exiles, and announced its readiness to undertake a complete reform of the whole system. There was no lack of men ready to devote their lives to ameliorating the sad fate of the exiles and to erasing forever from our life the black reminiscence of exile in Siberia. But

M. Maximoff's wish has not been realized. The Liberal movement of 1861 was crushed down by the government; the attempts at reform were considered as "dangerous tendencies," and the transport of exiles to Siberia has remained what it was twenty years ago — a source of unutterable sufferings for nearly twenty thousand of people.

The shameful system, branded at that time by all those who had studied it, has maintained itself in full; and, whilst the rotten buildings on the highway are falling to pieces, and the whole system disintegrates more and more, new thousands of men and women, transported for such crimes as those "the very existence of which" was doubted twenty years ago, are added annually to the thousands already transported to Siberia, and their number is increasing every year in an awful proportion.

P. KRAPOTKINE.

From Forestry.

THE OAKS OF SHERWOOD FOREST.

HAVING wandered for about three miles along a highway overhung with the fragrant lime and the deepening foliage of the elm, the first object of interest is to be seen close beside the road; and this old memorial of the dead past is often unnoticed by the visitor as he saunters leisurely along. It is the skeleton, so to speak, of an oak-tree that at one time must have been of huge dimensions, and capable of giving shade to hundreds of men. It is generally known by the name of the "Parliament Oak," tradition asserting that King John, of Magna Charta fame, who was an ardent devotee of sport, and occupied during certain seasons of the year a palace in the woods at Clipstone, for the purpose of facilitating his deer-hunting proclivities, once had occasion to call his Parliament together, and the senators of his court assembled under the gigantic oak which now stands near the highway. Whether such traditional information is correct cannot well be ascertained; but great care is taken of the "relic," and it is chained together, so that a dissolution of the trunk cannot easily take place. For six hundred years it is supposed to have withstood the blasts of winter, and many years will yet elapse before it ceases to give that cooling, leafy shade which the pedestrian is so grateful for in the hot days of summer. Turning

to the right, a very remarkable sight is reached. This is the "Shambles Oak," the remnant of an immense tree, with a trunk half hollow, and half destroyed by fire by some forest Vandal. It is stated that here Robin Hood used to conceal the venison he had procured in the chase, and from the size of the interior, it may easily be conjectured what amount of booty might be concealed. Like the first-named "relic," this *ci-devant* monarch of the forest is carefully chained, and sustained, like a paralytic, with crutches and supports, so that the traditional monument shall be allowed to escape the fate of Lucifer, "to fall and never to rise again." Travelling on, the division line between the estates of the Duke of Portland and the Earl of Manvers is reached; and it will be seen that the fenced line of one mile consists entirely of holly-trees of singular height and size. Between the two estates a splendid glade runs down to the confines, and a fine old oak occupies the sole position in the open space of green. Everything in this part of Sherwood is tropical in its profusion and wildness, and the silvery birch nestles under the giant oak, while the elm bends over the turfy footpath, and shelters the traveller from scorching heat. A long line of turf alone shows where the pedestrian may proceed; but if he is wise, he will turn to the right and proceed along the carriage-way, which is as full of pebbles as the seashore. Bracken and gorse almost envelope him, while millions of flies come from all parts of the forest to pay him homage. Half a mile further on he may sit down and rest on the roots of a forest king, the "Simon Forester," as it has been designated by the dwellers in the vicinity, and admire the immensity of the trunk, and the extent of the shade it affords. Such a monster is rare in the forest, or indeed in England, and it is to be hoped that no forester, whether the famed "Simon" or his descendants, will ever be allowed to lay the axe to its roots. During the interval the "sublime weed" will help to dispel the flying pests which are so demonstrative in their affection, and he will be able to proceed along the pebbled way refreshed, cooled, and invigorated. Three furlongs further on, through a wilderness of tangled forest, presenting every variety of foliage and tint, the crowning triumph of his labor is reached, and he again sits down under the shade of one of the mightiest oaks that exist in England. This is the famous "Major

Oak," the photographic picture of which he will be able to purchase from the old man of the woods who constantly inhabits its vicinity. He will be lucky indeed if he can sit down on the immense roots without being interrupted in his cogitations by the presence of a party bent on enjoyment. This is the "happy hunting-ground" of the Nottingham lacemaker and the Sheffield grinder, and no better *locale* could be imagined. The venerable oak stands in the centre of an acre of beautiful turf, and can be viewed in all the glory of its proud position. The size of its trunk can be imagined from the fact that seven full-grown persons can only clasp hands around it, while its hollow interior has been known to accommodate a dozen persons. The spectator is astounded with its size, and not only is it the monarch of the forest, but its branches spread out to form a picture of grace and surpassing beauty. These are no lightning-shivered branches or ungainly growth: all the *pose* of the tree is exceptionally majestic, and such as many an artist has loved to delineate. Here he may rest and gaze upon the aspect of loveliness which surrounds him, and when he has sufficiently admired the thousands of birches with their shimmering leaves — the chestnuts with their wealth of foliage — the golden-crested gorse, and the undulations of woodland scenery, unmatched in its beauty, he will be content to seek the quietude of the village inn, and ruminate on his wanderings through one of the most picturesque forests in the kingdom. Further on he would encounter an army of great oaks, and the magnificent mansion of Thoresby, standing in a park of three thousand acres, with pretty Pearlthorpe Church, and historic Clumber — the heritage of the young Duke of Newcastle — in the far distance. But premising he is content with his walk through one section of the forest, he had better strike a "bee-line" from his resting-place, and in a few minutes he will be approaching the village of Edwinstowe, with its quaintly constructed church, where Maid Marian is said to have been united in the bonds of matrimony to her forest lover Robin Hood. In this old-world village he will be able to find the needful rest and accommodation, and will not be ungrateful for the simple fare set before him, nor unthankful that he has been able to enjoy a sight of nature's beauties in their lavish loveliness.